



JOURNAL OF THE HISTORY OF IDEAS



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APRIL 2011 • VOLUME 72, NUMBER 2

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PUBLISHED BY THE UNIVERSITY OF PENNSYLVANIA PRESS, 3905 SPRUCE STREET,
PHILADELPHIA, PA 19104

AUDITOR: DIAMOND, WASSERMAN & LISS, P.C.

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JOURNAL OF THE HISTORY OF IDEAS

VOLUME 72, NUMBER 2

APRIL 2011

Journal of the History of Ideas
(ISSN 0022-5037)

is published quarterly by the
University of Pennsylvania Press

JOURNAL OF THE HISTORY OF IDEAS

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Marsilio Ficino's Critique of the Lucretian Alternative

James G. Snyder

INTRODUCTION

Marsilio Ficino is perhaps most widely remembered by historians of philosophy today as a fifteenth-century Platonist and Hermeticist who advocated the soul's flight from the sordid world of matter and body. Ficino's major contributions to philosophy include his Latin translations of Plato and Plotinus, as well as his voluminous and encyclopedic *Platonic Theology*, where he argues that the immortal soul occupies a privileged midpoint between God and inchoate prime matter. It therefore comes as a surprise to learn that Ficino, for a time in his early twenties, was drawn to the Roman poet Lucretius, who believed that most people are plagued by the superstitions of religiously-minded fable mongers. During this time Ficino composed a short commentary on Lucretius' didactic Epicurean poem, *On the Nature of Things*. In 1417 one of the last surviving manuscript copies of this poem was found in a German monastery by the humanist Poggio Bracciolini after several centuries of dormancy.¹ Also, in an early treatise on pleasure, Ficino

¹ See Michael D. Reeve, "The Italian Tradition of Lucretius Revisited," *Aevum* 79 (2005): 115–64; and "The Italian Tradition of Lucretius," *Italia medioevale e umanistica* 23 (1980): 27–48; A. C. Clark, "The Literary Discoveries of Poggio," *The Classical Review* 13 (1899), 119–30; Alison Brown, "Lucretius and the Epicureans in the Social and Political Context of Renaissance Florence," *I Tatti Studies* 9 (2001): 11–62; Alison Brown, "Reinterpreting Renaissance Humanism: Marcello Adriani and the Recovery of Lucretius," in *Interpretations of Renaissance Humanism*, ed. Angelo Mazzocco (Leiden: Brill, 2006), 267–91; Valentina Prosperi, *Di soavi licor gli orli del vaso. La fortuna di Lucrezio*

argues that the Epicurean emphasis on pleasure as the removal of pain is superior to the crass and vulgar hedonism of Aristippus.² In time, however, Ficino developed into the Platonist that historians of philosophy are more familiar with today. He turned his back on Lucretius, destroyed his commentary on him, and he became a rigid opponent of those philosophers who, as Plato describes them in his *Sophist*, “insist that only what offers tangible contact is, since they define being as the same as body.”³

Despite the fact that Ficino ultimately rejected Lucretius, and in a letter to the poet Angelo Poliziano claimed to have “followed the divine Plato from my youth,” it appears that he was never able to successfully put the Epicurean poet completely out of his mind.⁴ The specter of Lucretius—that is, the specter of a potent and fully-articulated materialism and what it entails—casts a long shadow across the eighteen books of Ficino’s *Platonic Theology*. This work, which was printed in 1482 and remains his most extensive philosophical treatise, gives the impression that Ficino considered Lucretius a relevant and un-eliminated alternative to his own mature philosophical vision. The Lucretian alternative, as it will here be called, aspires to show that anything that exists is a composite of matter and void alone, and that there is no need to countenance the existence of some ghostly third constituent, such as soul, in order to explain adequately the phenomena of nature or consciousness.⁵ Ficino’s *Platonic Theology* argues for a profoundly different metaphysical picture of the nature of things. There Ficino wanted to demonstrate the essential immortality of the soul, and to further clarify the best way that it can, as he puts it, “cast off the bonds of our terrestrial chains” so that it may “fly unhindered to the ethereal abode.”⁶ However, in order for Ficino to accomplish this, he first had to show that the Lucretian alternative is not a living hypothesis, but a dead one. Refuting Lucretius, therefore, is central to the polemical aims and aspirations of this

dall’Umanesimo alla Controriforma (Turin: Nino Aragno Editore, 2004); and Valentina Prosperi, “Lucretius in the Italian Renaissance,” in *The Cambridge Companion to Lucretius*, ed. Stuart Gillespie and Philip Hardie (New York: Cambridge University Press, 2007), 214–26. Please note also Alison Brown’s recently published *The Return of Lucretius to Renaissance Florence* (Cambridge, Mass.: Harvard University Press, 2010).

² Marsilio Ficino, *De voluptate*, in *Opera Omnia*, vol. 1 (Turin, 1576), 1016–42.

³ Plato, *Sophist* 246A–B; and James Hankins, *Plato in the Italian Renaissance*, vol. 2 (Leiden: Brill, 1990), 457.

⁴ Marsilio Ficino, *The Letters of Marsilio Ficino*, vol. I, trans. Language Department of the London School of Economic Science (London: Shephard-Walwyn, 1975), 55–56.

⁵ Lucretius, *On the Nature of Things* 1: 419–39.

⁶ Marsilio Ficino, *Platonic Theology*, trans. Michael J. B. Allen (Cambridge, Mass.: Harvard University Press, 2001–6), I.I.1. Citations throughout this article are made to book, chapter, and paragraph respectively.

work, and it is to this end that Ficino addresses several chapters to refuting the materialism of the “vulgar” and “impious” Epicurean poet and philosopher. The Lucretian alternative also explains in part why Ficino discusses, sometimes at great length, the nature of matter and body, especially in the early books of his *Platonic Theology*. The core argument that Ficino brings against the Lucretian alternative is that its materialist ontology is at best incomplete, and that something else—some ghostly incorporeal principle—is in fact necessary in order to adequately explain the nature of things.

Both the Renaissance recovery of *On the Nature of Things*, and the subsequent role that it played in the advancement of early modern philosophy and science, are familiar to historians of philosophy today.⁷ Ficino’s fifteenth-century critique of Lucretius, however, is not. Nearly half a century ago Paul Oskar Kristeller noted that in the 1450s Ficino came under the influence of Lucretius, and he further speculated that “a trace of this influence persisted throughout his life.”⁸ Until recently, however, Ficino’s relationship to Lucretius has not received much attention from historians of Renaissance philosophy. No study devoted to the traces and vestiges of Lucretius’s influence has been published, and it has received mostly passing reference in books and articles on Ficino’s thought, with many references embedded in footnotes.⁹ When historians of philosophy discuss Ficino’s critique of Lucretius they mostly focus almost exclusively on the question

⁷ See Stephen Gaukroger, *The Emergence of a Scientific Culture: Science and the Shaping of Modernity, 1210–1685* (Oxford: Oxford University Press, 2006), 253–351; Catherine Wilson, “Epicureanism in Early Modern Philosophy: Leibniz and his Contemporaries,” in *Hellenistic and Early Modern Philosophy*, ed. Jon Miller and Brad Inwood (New York: Cambridge University Press, 2003), 90–115; and Thomas M. Lennon, *The Battle of Gods and Giants: The Legacies of Descartes and Gassendi* (Princeton: Princeton University Press, 1993).

⁸ Paul O. Kristeller, *Eight Philosophers of the Italian Renaissance* (Stanford: Stanford University Press, 1964), 39.

⁹ James Hankins has recently brought to light Lucretius’s influence on Ficino. See James Hankins, “Monstrous Melancholy: Ficino and the Physiological Causes of Atheism,” in *Laus Platonici Philosophi: Marsilio Ficino and his Influence*, ed. Stephen Clucas and Valery Rees (Leiden: Brill, forthcoming); Hiroshi Hirai, “Concepts of Seeds and Nature in the Work of Marsilio Ficino,” in *Marsilio Ficino: His Theology, His Philosophy, His Legacy*, ed. Michael J. B. Allen, Valery Rees, and Martin Davies (Leiden: Brill, 2002), 282–84; James Hankins, *Plato in the Italian Renaissance*, 1: 297, n. 270; Michael J. B. Allen, *Acastes: Marsilio Ficino’s Interpretation of Plato’s Sophist* (Los Angeles: University of California Press, 1989), 192–93; Eugenio Garin, *Storia della filosofia italiana* (2nd Edition, Turin: Giulio Einaudi, 1966), 275–76; Paul O. Kristeller, *The Philosophy of Marsilio Ficino* (New York: Columbia University Press, 1943), 24, n. 22; and Paul O. Kristeller, *Supplementum Ficinianum* (Florence: L. S. Olschki, 1937), 1: clxiii; Alison Brown, *The Return of Lucretius to Renaissance Florence* (Cambridge, Mass.: Harvard University Press, 2010), 19–23.

of the immortality of the soul, and not on issues touching on the metaphysics of matter and nature. If anything, it has been assumed that Lucretius exercised only a youthful influence on Ficino that left no deep and abiding impressions on his thought.

Even so, there are still good reasons justifying a more thorough and robust examination of Ficino's critique of Lucretius, especially the Lucretian alternative as a materialist alternative to his Platonism. Ficino is notable, as he was among the first generation of Renaissance and early modern philosophers with direct access to the text of *On the Nature of Things*, and he was the first fifteenth-century philosopher to compose a commentary on it, even if the text of the commentary itself is no longer extant. The Lucretian alternative also plays a significant role in the larger argument for the immortality of the soul in his *Platonic Theology*, and his preoccupation with Lucretius betrays a certain anxiety on his part. Finally, taking seriously Ficino's critique of the Lucretian alternative helps to clarify, if not complicate, his place in the history of Renaissance and early modern philosophy. Historians of philosophy have brought to light the vital role that Epicurus and Lucretius played in the development of early modern philosophy and science. In *Epicureanism at the Origins of Modernity*, Catherine Wilson recently argued that the Renaissance and early modern revival of skepticism "was not so much an expression of genuine bewilderment as a rhetorical tactic facilitating the reworking and assimilation of the Epicureans' remarkable philosophy of nature and society in the early modern context."¹⁰ In this view, Epicurus and Lucretius, not Sextus Empiricus, were the engines driving the advancement of early modern philosophy and science. Therefore, in addition to illuminating certain neglected features of Ficino's philosophy, an examination of his critique of the Lucretian alternative is of interest as it may shed some light on the reception of Epicureanism in the centuries that followed, especially among those philosophers that considered themselves Platonists, and who were generally opponents of the modern mechanical philosophy.

FICINO ON TWO VARIETIES OF MATERIALISM

Before examining Ficino's critique of the Lucretian alternative, however, it is worth considering some of the exact reasons why Lucretius represented

¹⁰ Catherine Wilson, *Epicureanism at the Origins of Modernity* (New York: Oxford University Press, 2008), 2.

such a philosophical threat to Ficino. In a way, the answer is obvious and uncontroversial. *On the Nature of Things* rejects divine providence, and, among other things, argues that the whole world, and everything in it, is an accident of matter and void with no lasting permanence or significance.¹¹ Furthermore Lucretius advocates a life of pleasure, and argues in book III that the soul is mortal and that it unequivocally dies with the body. Moreover, Poggio Bracciolini's rediscovery of *On the Nature of Things*, and its widespread manuscript and print distribution in the fifteenth century, made it such that Ficino could not ignore Lucretius and adequately argue for the immortality of the soul. But there are other, less obvious reasons that explain why Lucretius represented such a significant problem for Ficino. These reasons are bound up with his conception of the human soul, and its privileged, if not somewhat awkward, metaphysical status.

Ficino generally distinguishes between two varieties of materialism. The first is a pre-philosophical species that is caused by the soul's metaphysical centrality in the great chain of being. The second species is more philosophical in nature, and it provides arguments in support of its materialist ontology. The Lucretian alternative is, in Ficino's estimation, an instance of the second variety of materialism. He argues in his *Platonic Theology* that the soul is the fitting knot, or node, that binds the upper realm of God and mind with the lower realm of quality and matter.¹² The soul's centrality is a mark of its inherent dignity that sets it apart from the rest of nature and ensures its immortality. But the soul's metaphysical status also has significant implications for the qualitative character of its existence that are not entirely unproblematic.¹³ Ficino begins his *Platonic Theology* by noting some persistent difficulties that beset the embodied soul. He claims that if the soul were mortal, then "no animal would be more miserable than man" as his "mind is never at rest, his body is frail and he is totally without resources."¹⁴ Ficino generally argues that only rarely, if ever, does the mind discover something true or accomplish anything good. In a different essay he compares the mind's unsatisfied longing for knowledge to the unfortu-

¹¹ Lucretius, *On the Nature of Things* I.465–82, and III.417–829.

¹² See Paul O. Kristeller, "Ficino and Pomponazzi on the Place of Man in the Universe," *Journal of the History of Ideas* 5 (1944): 220–26; *The Philosophy of Marsilio Ficino*, 105–8; and Michael J. B. Allen, "Ficino's Theory of the Five Substances and the Neoplatonic Parmenides," *Journal of Medieval and Renaissance Studies* 12 (1984): 19–44.

¹³ See Paul O. Kristeller, *The Philosophy of Marsilio Ficino*, 207–30; "The Theory of Immortality in Marsilio Ficino," *Journal of the History of Ideas* 1 (1940): 299–319, especially 301–10; and Marsilio Ficino, *Platonic Theology* XIV.VII.5.

¹⁴ Marsilio Ficino, *Platonic Theology* I.I.1.

nate Prometheus, who is continually gnawed by a vulture, or the torment of inquiry.¹⁵

In later books of his *Platonic Theology*, Ficino elaborates on the soul's metaphysical status, and he explains that it entails a good measure of confusion and vexation. Matter and body play a central role in causing these problems for the soul. Ficino argues that the soul "has been created far from God and close to matter" and "in a way inclines towards matter."¹⁶ Further, since the soul shares some of its qualities with both matter and God, he says that it naturally seeks after both; so "by a natural instinct it ascends to the higher and descends to the lower" and in "[a]scending it does not abandon things below it; in descending, it does not relinquish things above it."¹⁷ The soul is not drawn exclusively to either extreme, either to God or matter, and he describes it as clinging to the divine, but it does not, at the same time, cease to decline to material things. These difficulties and concerns are clearly on display in Ficino's commentary on Plato's *Phaedrus*. There he explains that the soul, because it is the lowest of divinities, struggles desperately in the governance of bodies, and as a result it oscillates between living a celestial life and an earthly one.¹⁸ Ficino, therefore, considers the soul's attention to be fractured between the upper and lower realms in a Janus-like way. While it has a natural affinity for things above, it inclines towards matter below, and as a result it is preoccupied with the protean shapes, colors, and pleasures of the material world. Ficino concludes from this state of affairs that the soul is generally afflicted with a certain confusion concerning what is real and good. The most pernicious confusion that follows from this state of affairs, Ficino argues, is an untutored species of materialism that leaves the mind functionally incapable of conceiving of anything that is not made of matter. Consequently, Ficino thinks that most people naturally deny "that anything can exist without being a body."¹⁹ Most importantly the pre-critical species of materialism causes most people to believe that God and the soul must be material. It is as though, he analogizes, a boy were to go through his entire life covered

¹⁵ Marsilio Ficino, "Five Questions Concerning the Mind," trans. in *Renaissance Philosophy of Man*, ed. Ernst Cassirer, Paul O. Kristeller, and John H. Randall (Chicago: University of Chicago Press, 1948), 208.

¹⁶ Marsilio Ficino, *Platonic Theology* V.V.5. Also see Plotinus, *Enneads* I.6.5, IV.8.1, and IV.8.8.

¹⁷ Marsilio Ficino, *Platonic Theology* III.II.2.

¹⁸ Marsilio Ficino, *Commentaries on Plato: Phaedrus and Ion*, vol. I, ed. and trans. Michael J. B. Allen (Cambridge, Mass.: Harvard University Press, 2008), 3.23.

¹⁹ Marsilio Ficino, *Platonic Theology* VI.II.4 and 11; also see VI.II.9, and II.VI.5–6.

with mud, and when asked what his body is made of would naturally respond “[i]sn’t it made of mud?”²⁰ All of this requires that the “vulgar error” of materialism born from the “habitual intercourse [of the soul] with the body” must be seriously dealt with.²¹

Ficino also acknowledges a second variety of materialism in his *Platonic Theology*. While the second variety is distinct from the first, it is not entirely discontinuous with it. The first is pre-critical, and for the most part unarticulated; the second makes use of philosophy, and even the rhetoric of poetry, in order to establish what Ficino considers its austere materialist ontology.²² The second variety is parasitic on the first, and it exploits the confusion that is endemic to the soul’s embodied condition. It ossifies the pre-critical variety by providing arguments and reasons in support of it. Ficino considers natural philosophers to be especially adept at rendering the pre-critical variety of materialism philosophically plausible.²³ The Lucretian alternative is an instance of the second species of materialism, with the primary case for it made in books I and II of *On the Nature of Things*. It is with the second variety of materialism in mind, especially the Lucretian alternative, that Ficino addresses certain core questions about the metaphysics of matter and corporeality in the early books of his *Platonic Theology*. He aims to eliminate the Lucretian alternative as a plausible view of material things, and this requires that he address the nature of matter and body, and in general develop a coherent metaphysic of material things that stands in opposition to the Epicurean picture of things. The main line of criticism that Ficino launches against the Lucretian alternative is that there is something fundamental missing from its conception of material substances. “[B]esides the inert mass of our bodies, to which the Democriteans, Cyrenaics and Epicureans limit their consideration,” he explains, “there exists an active quality or power” that originates in some “higher sort of form.”²⁴ In this way Ficino aims to eliminate the Lucretian alternative as a living alternative to his own Platonic natural philosophy.

²⁰ Marsilio Ficino, *Platonic Theology* VI.II.3.

²¹ Marsilio Ficino, *Platonic Theology* VI.II.4.

²² See Michael J. B. Allen, *The Platonism of Marsilio Ficino: A Study of His Phaedrus Commentary, its Sources and Genesis* (Berkeley: University of California Press, 1984), 41–67.

²³ See Michael J. B. Allen, *Icastes: Marsilio Ficino’s Interpretation of Plato’s Sophist*, 154, and 242–44; and Michael J. B. Allen, *Synoptic Art: Marsilio Ficino and the History of Platonic Interpretation* (Florence: L. S. Olschki, 1998), 154–55.

²⁴ Marsilio Ficino, *Platonic Theology* I.I.2.

FICINO'S CRITIQUE OF THE LUCRETIAN ALTERNATIVE

Ficino avails himself of several different lines of argumentation against the Lucretian alternative. He does not shy away from some of the more traditional arguments that depended heavily on what was perceived to be the depraved nature of the Roman poet's character and philosophy. Ficino echoes Jerome when he asserts that Lucretius was insane, and that he committed suicide after indulging in an aphrodisiac.²⁵ But this does not constitute his only argument against Lucretius. Ficino also suggests a physiological cause for the poet's madness, explaining that an elevated amount of black bile drove him to slaughter himself first with words in book III of *On the Nature of Things*, and later with an actual sword. For this reason, Ficino cautions his readers against trusting Lucretius regarding the nature and value of human existence, just as one does not trust the palate of a sick person when judging wine.²⁶ A further symptom of his madness is that Lucretius entertained the delusion that the cosmos originated in some primeval chaos, in a welter of fomenting primary particles that is without any underlying purpose or design. This symptom was not unique to Lucretius, as Hesiod, Democritus, and Epicurus, to name a few, held similar views on the origin and nature of the cosmos.²⁷

It is likely, however, that Poggio Bracciolini's rediscovery of *On the Nature of Things* rendered such arguments, when taken on their own, insufficient for refuting the Lucretian alternative. For these arguments would not convince anyone familiar with the actual text and arguments of the poem.²⁸ As such, Ficino does not appeal only to Lucretius's unbalanced character and psychology. He also avoids traditional Peripatetic criticisms that concern the possible existence of indivisibles. Instead, Ficino adduces other shortcomings with the Lucretian alternative. He makes his primary case against it in the early books of his *Platonic Theology*, where he tries to rule it out on the grounds that it does not present a credible metaphysic of material things. He argues that both matter and body cannot in principle give rise to any action, order, and that anything corporeal does not, on its

²⁵ See Lactantius *Div. Inst.* III.17; George Depue Hadzsits, *Lucretius and His Influence*, 216–28; and Michael J. B. Allen, *Synoptic Art: Marsilio Ficino and the History of Platonic Interpretation*, 114–15.

²⁶ Marsilio Ficino, *Platonic Theology* XIV.X.6.

²⁷ Marsilio Ficino, *Platonic Theology* XIII.II.5.

²⁸ For a discussion of the scope of *On the Nature of Things* in mid-century Florence, see Alison Brown, "Lucretius and the Epicureans in the Social and Political Context of Renaissance Florence," 11–21.

own, possess a principle of cohesion to bind it together into a substantial unity.

In book II of *On the Nature of Things*, Lucretius explains that the basic particles of matter move with the greatest speed and alacrity through the void.²⁹ He argues that an unrivaled “swiftness of motion has been granted to the particles of matter,” and that these particles “move much more rapidly than sunlight, racing through a space many times as wide as the expanse of sky that the sun’s lightning rays pervade in the same time.”³⁰ Even the vocabulary that Lucretius employs to describe the fundamental particles of matter implies that they are dynamic—*materia* and *genitalia corpora*, to name a few, indicate an activity and generative power.³¹ In order to exclude this view of things, Ficino discusses, at the earliest possible occasion, the nature of body, and the possibility of its acting and moving on its own. In the first paragraph of book I chapter II, he defines body, or corporeal matter, in such a way that it is entirely passive, inert, and dead. It does not, as Lucretius maintains, have within itself the causal power to produce any action or motion in itself, or in anything else for that matter. To establish this conclusion, Ficino provides what he calls a “Platonic” definition of body as a composite of matter and quantitative extension, both of which he argues are entirely passive and inert. Matter and quantity are the recipients or patients of action, but they are not agents, and they cannot produce any action or motion themselves. He explains that it is “characteristic of matter only to be extended in space and affected by action” and that both “extension and being affected are passive conditions.” From these considerations Ficino concludes that “body in itself does not act but solely is acted upon.”³²

Ficino also provides an analysis of action as part of his critique of the Lucretian alternative. He argues for three prerequisites for any and all action: first, the agent must possess in itself a certain causal power; second, it must be poised and ready for motion; and, finally, it must be capable of penetrating thoroughly the object that it is acting upon. “The mass of body,” Ficino explains, “is a hindrance to all of these conditions.” Bodies fail the first condition because the active power of the agent is dispersed, and thus diluted, throughout the expanse of the body itself. The power of any agent, Ficino reasons, “increases with union, but diminishes with

²⁹ Lucretius, *On the Nature of Things* 2.216–332, and 2.62–166.

³⁰ Lucretius, *On the Nature of Things* 2.144–164.

³¹ See David Sedley, *Lucretius and the Transformation of Greek Wisdom* (New York: Cambridge University Press, 2004), 38–39.

³² Marsilio Ficino, *Platonic Theology* I.II.I.

dispersion.” As such, any material thing is not an effective agent. Ficino explains that material things fail the second condition as well. He argues that the larger a body is the less ready it is for motion, since large bodies are sluggish and display a general reluctance to motion. Finally, Ficino argues that one body cannot, in fact, act on any other since two bodies cannot occupy the same space, and that the solidity and density of material things “prevent them from penetrating one another.”³³ Something becomes a more effective causal agent, Ficino argues, the closer it comes to being incorporeal. He calls attention to fire and light, and he argues that they are the most effective and vigorous agents because they are so fine, subtle, and in nature they come the closest to being incorporeal. Ficino claims that a single spark, if there is enough fuel, will consume the entire world; the action of light, he explains, is instantaneous. From all of these considerations he concludes that “the activity of bodies does not arise from [corporeal] matter, but from the power of an incorporeal nature.”³⁴ To conclude, Ficino explains that what has been said about body and action has certain negative implications for the Lucretian alternative, and he explains that “if bodies appear to act in any way, they do not do so by virtue of their own mass, as the Democriteans, Cyrenaics and Epicureans supposed, but through some force or quality implanted in them.”³⁵

In the early books of his *Platonic Theology*, Ficino also speculates about the nature of prime and corporeal matter, as well as about material forms and qualities, in his discussion of the metaphysics of material things. As with body, he provides an analysis of matter and quality that he thinks causes problems for the Lucretian alternative. Ficino distinguishes between two distinct types of matter—prime and corporeal matter.³⁶ Prime matter is completely bereft of any form, including quantitative extension. Even so, Ficino explains that prime matter is “not nothing, but it is next to nothing, being primarily and to an unlimited extent that which is acted upon.”³⁷ “A formless substrate,” he further explains, “cannot give itself form, being completely incapable of action.”³⁸ While prime matter is perfectly devoid

³³ Marsilio Ficino, *Platonic Theology* I.II.2.

³⁴ Marsilio Ficino, *Platonic Theology* I.II.9, and III.II.4–5.

³⁵ Marsilio Ficino, *Platonic Theology* I.II.4.

³⁶ See especially Marsilio Ficino, *Platonic Theology* V.IV and VI. For a discussion of Ficino’s theory of matter, see James G. Snyder, “The Theory of *materia prima* in Marsilio Ficino’s *Platonic Theology*,” *Vivarium* 47 (2008): 192–221; and Enrico Vitale, “Sul concetto di materia nella *Theologia platonica* di Marsilio Ficino,” *Rinascimento* 39 (1999): 337–69.

³⁷ Marsilio Ficino, *Platonic Theology* I.III.15.

³⁸ Marsilio Ficino, *Platonic Theology* I.III.8.

of any and all determination, he maintains that it is “ready to receive all forms.”³⁹ Although prime matter exists, and is real in its own peculiar manner, it does not possess within itself the ability to change from a state of potency to act, and it cannot draw anything from the confusion within its own depths. Corporeal matter, on the other hand, possesses form—at a very minimum extension in length, breadth and depth—and it serves as the immediate substratum for the qualities and properties of material things. For Ficino, both prime and corporeal matter are completely impotent when it comes to initiating any action. While prime matter exists in next to nothing and corporeal matter is completely passive, Ficino argues that both kinds of matter are in fact conditioned by nature. He claims that throughout matter and body are spread the “spiritual and life-giving seeds of everything.” However, these seeds cannot, on their own, move from a state of potency to act. Ficino argues that they require a vital, life-giving nature that draws “out from the depths of matter, where corporeal substances do not penetrate, the substantial forms of the elements.”⁴⁰ Matter and seeds are not enough for the origination of anything substantial and capable of acting on its own. While both prime and corporeal matter apparently play a necessary role in the generation and corruption of material things, Ficino judges that neither, when taken on their own, is sufficient for explaining the origins of action and movement. The vital nature of soul, Ficino reasons, is necessary for matter and body to act.

In an effort to further degrade the nature of matter and body, Ficino provides an account of the forms and qualities that inhere in prime and corporeal matter that stands in opposition to the Lucretian alternative. He argues that the sundry qualities found inhering in material things are, like matter and body, causally impotent, and that they are, upon closer examination, in fact completely insubstantial. For Ficino, quality is a quasi-form that is “infected” and “contaminated” when it is present in the “bosom of matter.” Through its close association with matter, he argues that material quality is degraded, and that in the end it becomes completely “material, and, if it is separated from matter, corrupted.”⁴¹ Ficino claims that qualities are “scattered through the breadth and depths of matter, plunged, as one might say, in the stream of Lethe.”⁴² Consequently, qualities forget their incorporeal origins, and in the end they become completely corporeal. As

³⁹ Marsilio Ficino, *Platonic Theology* V.IV.2.

⁴⁰ Marsilio Ficino, *Platonic Theology* IV.I.7.

⁴¹ Marsilio Ficino, *Platonic Theology* I.III.5.

⁴² Marsilio Ficino, *Platonic Theology* I.III.16.

such, Ficino argues that “when they appear in matter [qualities] are no longer really alive or capable of activity.”⁴³ All qualities are, he explains, incapable of sustaining themselves, and in reality they are completely insubstantial. Also, since they are submitted to the conditions of matter, they themselves become material.⁴⁴ On his final analysis, therefore, the qualities that inhere in matter in actuality resemble “mere shadows that come and go like the reflections of lofty trees in a rushing stream.”⁴⁵ There is nothing about matter, body, or quality, therefore, that adequately explain the origination of causal agency of material things.

Ficino also detects further difficulties with the Lucretian alternative that concern the cohesion, unity, and persistence of material things. Occasionally in *On the Nature of Things*, Lucretius addresses the cohesion of the particles of matter into aggregates. He argues that there is a perishable fabric to things that provides them with a certain degree of unity and stability over time. Lucretius explains that aggregates of matter, such as the elements, are “interwoven in various ways,” and that such aggregates continue to cohere so long as they do not “encounter a force sharp enough to unweave their particular fabric.”⁴⁶ He claims that olive oil, unlike water, is viscous because its constituent atoms are “larger or more hooked and more closely intertwined, with the result that they cannot so rapidly be separated from one another.”⁴⁷ The cohesion and persistence of material things, for Lucretius, is a function of the micro-material structure of the aggregates themselves. Ficino argues, however, that this is insufficient to explain cohesion, unity, and persistence. In *Platonic Theology* books I and VI, Ficino asserts that body is by nature dispersed, and that the cohesion of material things requires some non-material binding power that unites and arrests its discrete and disparate parts. In book I, Ficino explains that a body is a whole that is composed of parts, and that the existence of any such whole, in principle, requires some bond that is the cause of its union. He next argues that the bond that unites material things cannot be something material itself, since the binding force, if material, would itself be divisible and would, therefore, require something additional to bind together its own disparate parts. “Consequently,” Ficino argues, “beyond the individual parts and the whole, exists one something, the cause of the

⁴³ Marsilio Ficino, *Platonic Theology* IV.I.11.

⁴⁴ Marsilio Ficino, *Platonic Theology* V.V.3–4.

⁴⁵ Marsilio Ficino, *Platonic Theology* I.III.15.

⁴⁶ Lucretius, *On the Nature of Things* I.239–47; also see 3.262–83.

⁴⁷ Lucretius, *On the Nature of Things* II.390–97.

harmony, which is incorporeal, lest it too is forced into needing a bond.”⁴⁸ In book VI, Ficino revisits the problem of the unity and cohesion of material things. This chapter immediately follows a consideration of the various materialist philosophers, such as Lucretius, who argue that the soul is corporeal. Ficino argues that it is “contrary to the nature of body to come together into a single whole, to remain the same, and to be stable in itself.”⁴⁹ Body is dispersed, he argues, and as such is incapable, on its own, of coming together into a unified whole that persists over time without an incorporeal bond. Furthermore, Ficino describes nature as a violent arena where opposing qualities and collisions frequently take place, both from within material substances themselves, as well as from without. Any given material thing has opposing qualities within it, since it may be both hot and cold; material things also typically encounter violent collisions from other bodies that threaten to rend them apart. From these considerations, Ficino concludes that “there must be something in the body beyond the body’s nature which unites it, arrests it, and contains it: unites the separated parts, arrests the unending flux, mutually contains by its own simple harmony the body’s discordant qualities.”⁵⁰ This something is the soul, what Ficino calls the “binding power” of bodies. The Lucretian alternative, Ficino reasons, cannot account for the cohesion and stability observed in material things. Its ontology is incomplete.

Finally, Ficino argues that natural order, as well as lawful and consistent causal interaction, cannot be adequately accounted for by the Lucretian alternative. Lucretius posits nothing above and beyond the corporeal seeds of things in order to explain how nature manifests order and inviolable causal laws. Early in book I of *On the Nature of Things*, Lucretius asserts the basic rule that “nothing miraculously springs out of nothing.”⁵¹ This rule aims at eliminating the “terrifying darkness that enshrouds the mind” concerning those events that do not have ostensible causes, and to which people frequently assign supernatural origins. It also explains why nature is orderly and lawful in its operations, as the sequence of causes and effects, of generation and corruption, are caused by the micro structure of matter, and nothing else. If something could be made from nothing, Lucretius explains, then “human beings could spring from the sea, squamous fish

⁴⁸ Marsilio Ficino, *Platonic Theology* I.III.22.

⁴⁹ Marsilio Ficino, *Platonic Theology* VI.VIII.1.

⁵⁰ Marsilio Ficino, *Platonic Theology* VI.VIII.2.

⁵¹ Lucretius, *On the Nature of Things* I.147–51.

from the ground, and birds could be hatched from the sky.”⁵² However, it is not from nothing, but from the arrangement of matter that nature derives its order and the predictability of its interactions. Ficino, however, does not think that the order on display in nature can be adequately explained by matter alone. He turns the basic rule that nothing can come from nothing against Lucretius, and he accuses the Epicurean of violating this very of principle in his natural philosophy. Ficino explains that to suppose order “proceeds from an unstable and formless privation of order” is the same as supposing that “wisdom was born from stupidity, or light from darkness.” Prime matter and body cannot, as Ficino has defined them, give rise to any action, the cohesion of bodies, and order, as they are perfectly devoid of the means to change from a state of potency to act, to bind together the disparate parts of material bodies, or to give order to chaotic nature. To argue otherwise, Ficino reasons, is to be guilty of thinking that something can in fact originate from nothing. Therefore, Ficino explains that the Lucretian alternative provides no competent grounds to explain the order and causal consistency of nature, and, if its metaphysic of material things were true, then one would observe “dogs born from horse semen, figs from apples, human limbs attached to lions, humans with the limbs of asses, stars falling, and stones ascending.”⁵³ Moreover, Ficino argues that order of nature “comes not from the material or the tools but from the thinking alone of the craftsman,” and in nature he detects a degree of concatenation that is not possible on the basis of the Lucretian alternative. To make his case, Ficino describes a sinew that was discovered in an animal’s neck, and when pulled moved its limbs “simultaneously so that they are individually moved each in its own way.”⁵⁴ He also describes a small cabinet that visited Florence, made by a German artisan, that contained small statues of animals that were all connected and kept in balance by a single ball. When this ball was moved the statues moved in different and diverse ways.

[S]ome ran to the right, others to the left, upwards or downwards, some that were sitting stood up, others that were standing fell down, some crowned others, and they in turn wounded others. There was heard too the blare of trumpets and horns and the songs

⁵² Lucretius, *On the Nature of Things* I.161–63. Ficino quotes these lines in his *In Philebum*, 1.1. See Marsilio Ficino, *Philebus Commentary*, ed. and trans. Michael J. B. Allen (Berkeley: University of California Press, 1979), 75.

⁵³ Marsilio Ficino, *Platonic Theology* II.XIII.6.

⁵⁴ Marsilio Ficino, *Platonic Theology* II.XIII.4.

of birds; and other things happened there simultaneously and a host of similar events occurred, and merely from one movement of one ball.⁵⁵

Both the sinew and the cabinet are evidence, for Ficino, of God's thought and design in nature. Things that are opposed to one another in various ways are brought into accord, and diverse and opposing things act in unison to produce a well-governed world. Ficino claims that the order and connection of things cannot be explained by matter alone. To think this way is to argue that something is originating from nothing. Ficino, therefore, accuses Lucretius of violating the rule that is central to the argument of book I of *On the Nature of Things*. More generally speaking, Ficino concludes that Lucretius has not provided an adequate model for explaining the phenomena of nature. The sinew and the cabinet are for him illustrations of the larger connection found in individual material things, and in nature as a whole. Summing up his critique of the Lucretian alternative, Ficino says "[l]et us hear no more from Lucretius the Epicurean, who wants the world to come about and be borne along by chance." Ficino has done his best, therefore, to refute the Lucretian alternative, as it stands in opposition to his broader philosophical commitments, especially his vitalistic view of nature, and his belief in the essential immortality of the soul.

CONCLUSION

The arguments that Ficino brings against the Lucretian alternative represent substantive and original criticisms, even if they have not been discussed widely by historians of philosophy. Ficino experienced first-hand the Lucretian vision of things in his early twenties when he wrote, and later burnt, his commentary on the poem. The frequent discussion of *On the Nature of Things* in his *Platonic Theology* betrays an awareness on his part of the poem's austere materialist vision, as well as an appreciation for its persuasive power and potency. This makes perfect sense given his early exposure to the poem. Ficino views Lucretius with unique suspicion because he exploits the confused condition that is endemic to the embodied soul. *On the Nature of Things* makes philosophically plausible the common sense materialism that Ficino believes most people uncritically accept. This is what is so insidious, in Ficino's estimation, about Lucretius and his species

⁵⁵ Marsilio Ficino, *Platonic Theology* II.XIII.5.

of materialism. Through a discussion of the nature of matter and body, Ficino tries to give a philosophical response to the Lucretian alternative. The early books of his *Platonic Theology*, therefore, carefully define the fundamentals of his natural philosophy in order to eliminate the basic principles of Lucretian materialism.

Examining Ficino's critique of the Lucretian alternative helps to clarify his philosophy in at least two respects. The first touches directly on internal questions that concern the structure and development of Ficino's philosophy, while the second has to do with the traditional place accorded to him in the history of Renaissance and early modern philosophy. First of all, by way of contrast, the Lucretian alternative helps to illuminate certain features of Ficino's thought in greater relief. This is especially true of the core elements of his natural philosophy. His views on the nature of matter and body, which can at times go unrecognized, come into clearer focus when the Lucretian alternative is in the background. Appreciating Ficino's critique also helps make greater sense of the polemical goals of his *Platonic Theology*, and one's understanding of this work is necessarily incomplete without examining it. Alongside Averroes, Lucretius is a relevant and uneliminated alternative to some of Ficino's most basic philosophical commitments, and one's understanding of this work is partial without sufficiently considering it. Finally, taking seriously Ficino's critique shows that his early exposure with *On the Nature of Things* left significant marks and traces on his mature philosophy, and that his relationship to Lucretius was more than a youthful encounter.

Ficino's critique of the Lucretian alternative also complicates, to some degree, the traditional place that the Florentine Platonist occupies in the history of Renaissance and early modern philosophy. For many historians, Ficino is an otherworldly Platonist whose primary philosophical interests reside in problems that are far from the complicated world of matter and bodies. Also, many consider his contribution to the history of philosophy to be an indirect one, and this judgment is based on the widespread transmission of his translations and commentaries on the dialogues of Plato, and the writings of Plotinus. However, Ficino is also a serious critic of the Lucretian alternative. He does not merely dismiss Lucretius as insane and morally bankrupt, but he also formulates philosophical arguments that concern the nature of material objects. Consequently Ficino belongs to a critical tradition of philosophers that express deep reservations about the content and coherence of Epicurean materialism. Like Ficino, philosophers as diverse as Henry More and G. W. Leibniz will in the seventeenth century

appeal to elements of Platonism in an effort to critique the Epicurean vision of nature. An examination of Ficino's fifteenth-century critique, therefore, at least opens up the possibility that he exercised an influence on the reception of Epicureanism and materialism in the centuries that followed, and that his contribution to the history of early modern philosophy is more than indirect.

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Authenticity, Antiquity, and Authority: Dares Phrygius in Early Modern Europe

Frederic Clark

DARES PHRYGIUS, “FIRST PAGAN HISTORIOGRAPHER”

In his *Etymologies*, Isidore of Seville—the seventh-century compiler whose cataloguing of classical erudition helped lay the groundwork for medieval and early modern encyclopedism—offered a seemingly straightforward definition of historiography, with clear antecedents in Cicero, Quintilian, and Servius.¹ Before identifying historical writing as a component of the grammatical arts, and distinguishing histories from poetic fables, Isidore confirmed that “history is a narration of deeds [*narratio rei gestae*], through which things done in the past are discerned.”² Thereafter, he equated historical writing with eyewitness observation, insisting that “among the

I wish to thank Ann Blair, Peter Brown, Anthony Grafton, and the *JHI*'s anonymous reviewers for insightful readings and many helpful suggestions which much improved this paper.

¹ Cicero, *De inventione*, 1.27, ed. Maria Greco (Galatina: M. Congedo, 1998), 106–7; Quintilian, *Institutio oratoria*, 2.4.2, ed. Tobias Reinhardt and Michael Winterbottom (Oxford: Oxford University Press, 2006), 5; and Servius, *In Vergilii carmina commentarii*, 1.235, ed. George Thilo and Hermann Hagen (Leipzig: Teubner, 1878), 89.

² Isidore of Seville, *Etymologiarum sive originum libri XX*, 1.41.1, ed. W.M. Lindsay (Oxford: Clarendon Press, 1911), unpaginated: “Historia est narratio rei gestae, per quam ea, quae in praeterito facta sunt, dinoscuntur.” On the *Etymologies* see Jacques Fontaine, *Isidore de Séville: genèse et originalité de la culture hispanique au temps des Wisigoths* (Turnhout: Brepols, 2000) and John Henderson, *The Medieval World of Isidore of Seville: Truth from Words* (Cambridge: Cambridge University Press, 2007).

ancients, no one wrote history unless he had been present and seen those things to be recorded.”³ But Isidore’s further treatment of historiography grew more perplexing. Upon affirming that “among us, Moses first composed a history, on the beginning of the world,” he unexpectedly declared that “among the pagans, Dares Phrygius first composed a history, concerning Greeks and Trojans.”⁴ Only later did the encyclopedist mention more well-known Greek historians (to modern audiences at least) like Herodotus.⁵

Isidore’s invocation of his “first pagan historiographer” referred most likely to the *De excidio Troiae historia* (henceforth *DET*), a fifth- or sixth-century Latin pseudo-history billed as an eyewitness account of the Trojan War. Conveyed in sparse, dry, and inelegant language, the *DET* was long thought to have been the war diary of one Dares Phrygius, purportedly a Trojan participant in the conflict.⁶ In reality, the Latin *DET* was a two-part forgery, as its spurious dedicatory epistle—supposedly from the Augustan-era biographer Cornelius Nepos to the historian Sallust—claimed that “Nepos” had discovered the work in an Athenian archive and rendered it “truly and simply” (*vere et simpliciter*) from Greek into Latin.⁷ While potentially derived from a Greek antecedent, perhaps composed as an anti-Homeric *jeu d’esprit* during the Second Sophistic, the Latin Dares was assuredly *not* an accurate and verbatim translation of any lost Greek original.⁸

Notwithstanding its uncertain origins, Isidore’s pagan counterpart to Moses would go on to achieve canonical status in the medieval Latin West, and survives today in approximately 200 manuscripts. Moreover, Dares’s authority was extended through practices of compilation integral to medie-

³ Isidore, *Origines*, 1.41.1: “Apud veteres enim nemo conscribat historiam, nisi is qui interfuisse, et ea quae conscribenda essent vidisset.”

⁴ Ibid., 1.42.1: “Historiam autem apud nos primus Moyses de initio mundi conscripsit. Apud gentiles vero primus Dares Phrygius de Graecis et Troianis historiam edidit.”

⁵ Ibid., 1.42.2.

⁶ Dares Phrygius, *De excidio Troiae historia*, ed. Ferdinand Meister (Leipzig: Teubner, 1873). For recent philological work on the *DET*, see Andreas Beschorner, *Untersuchungen zu Dares Phrygius* (Tübingen: G. Narr, 1992).

⁷ Dares, *DET*, Prologus, 1: “Optimum ergo duxi ita ut fuit vere et simpliciter perscripta, sic eam ad verbum in latinitatem transvertere.”

⁸ Stefan Merkle, “The Truth and Nothing but the Truth: Dictys and Dares,” in *The Novel in the Ancient World*, ed. Gareth Schmeling (Leiden: Brill, 1996), 563–80. For analysis of ancient spuria, see Wolfgang Speyer, *Die literarische Fälschung im heidnischen und christlichen Altertum: Ein Versuch ihrer Deutung* (Munich: Beck, 1971) and Wolfgang Speyer, *Bücherfunde in der Glaubenswerbung der Antike* (Göttingen: Vandenhoeck and Ruprecht, 1970).

val textual culture.⁹ This compilatory impulse—which spawned countless multi-text anthologized codices and similarly animated Isidore’s encyclopedism—encouraged the Phrygian’s codicological pairing with numerous sources both ancient and medieval. Not only did the *DET* serve, codicologically, as a prologue to Trojan origin narratives like Geoffrey of Monmouth’s *Historia regum Britanniae*, but it was also integrated into the structure of universal history, utilized as a means of augmenting the *Chronicon* of Eusebius-Jerome.¹⁰ Throughout the Middle Ages, Dares served not only as a name to invoke, but also as a source to appropriate and rework: to insert into universal chronicles, append to Trojan genealogies, or render into epic verse. Moreover, the pseudo-author’s status as “first pagan historiographer” was hardly lost on medieval sources: for instance, when William of Malmesbury inserted the *DET* into his anthology of ancient Roman histories, he made sure to include Isidore’s endorsement directly before the text’s incipit.¹¹ For nearly a millennium, Dares’s fabricated claims of antiquity and autopsy constituted airtight guarantors of textual *auctoritas*.

BETWEEN CRITICISM AND CREDULITY: DARES IN EARLY MODERN SCHOLARSHIP

But Dares did not remain undisturbed in the canon. Instead, the *DET* saw its first recorded challenge with the advent of the early Renaissance. Writing in 1400 in his *De tyranno*, the Florentine Chancellor Coluccio Salutati turned to the Phrygian when debating a favored subject of nascent Italian humanism—the history of early Rome. Here Salutati sought to counter the long-held claim, attested in the *DET*, that Aeneas was not a pious hero driven from Troy, but rather a duplicitous traitor who had himself betrayed the city to the Greeks.¹² The Florentine Chancellor correctly acknowledged that Aeneas’s treason was alleged by “the most ancient historians Dares

⁹ Louis Faivre D’Arcier, *Histoire et géographie d’un mythe: la circulation des manuscrits du De excidio Troiae de Darès le Phrygien (VIII^e–XV^e siècles)* (Paris: École des Chartes, 2006).

¹⁰ See Julia Crick, *The Historia Regum Britanniae IV: Dissemination and Reception in the Later Middle Ages* (Cambridge: D.S. Brewer, 1991), 37–39. Dares’s incorporation into Eusebius-Jerome is found in *Historia Daretis Frigii de origine Francorum*, ed. Bruno Krusch, *Monumenta Germaniae historica* (henceforth MGH), *Scriptores Rerum Merovingicarum* 2 (Hanover, 1888), 194–200.

¹¹ Bodleian Library MS Arch. Selden B.16, fol.1r.

¹² On Aeneas’s purported treachery, see Meyer Reinhold, “The Unhero Aeneas,” *Classica et Mediaevalia* 27 (1966): 195–207.

Phrygius and Dictys Cretensis" (Dictys, another late antique pseudo-author popular throughout the Middle Ages, was likewise regarded as an eyewitness to the Trojan War, albeit from the Greek side).¹³ But in defense of pious Aeneas, Salutati invoked Livy, that "most venerable author" or *nobilissimus autor*, asking whether one would rather follow a trusted and genuine Roman historiographer, who made no mention of such treachery, or Dares and Dictys. Thereafter, he invited his readers to doubt these latter sources, since (in his own estimation) both were "reputed to be apocryphal."¹⁴

Having relegated Dares to the *apocryphos*, *De tyranno* became the earliest extant source to contest the *DET* directly. However, Salutati's debunking by no means signaled a radical shift in approach to the ancient past, whether Trojan or otherwise. For in 1388, this ardent booster of Florentine cultural heritage had earnestly outlined a theory of consanguinity or *circulatio* in which both Romans and Florentines shared a common Trojan origin from the mythic progenitor Dardanus, himself purportedly of Etruscan stock.¹⁵ Despite his disdain for Dares, Salutati showed himself an avid champion of those very narratives of Trojan ancestry which the medieval *DET* had so frequently bolstered, once more demonstrating the inextricably interlinked nature of criticism and credulity in Renaissance scholarship.¹⁶

Beginning with Salutati, early modern readings of the *DET* betray considerable ambiguities. While Dares largely failed to arouse the critical energies of fifteenth-century humanists, discussions of the Phrygian returned in force in the centuries that followed. Between 1500 and 1700, from Erasmian Spain and papal Rome to Calvinist Basel and Reformed Leiden, philologists, bibliographers, classical scholars, and *literati* spanning geo-

¹³ Coluccio Salutati, *De tyranno*, ed. Alfred von Martin (Berlin: W. Rothschild, 1913), xxxxi: "Principio quidem historicorum antiquissimi Dares Phrygius et Gnosius Dictys, qui Troianum scripserunt historiam, non ambigue, sed plane clarissimeque testantur, ipsos de prodenda patria cum Grecorum principibus pepigisse." Cf. Dares, *DET*, xxxvii-xli, 44-50, and Dictys Cretensis, *Ephemeridos belli Troiani libri*, 5.1-17, ed. Werner Eisenhut (Leipzig: Teubner, 1973), 101-119. See also B.L. Ullman, *The Humanism of Coluccio Salutati* (Padua: Antenore, 1963), 33 and 96-97.

¹⁴ Salutati, xxxxi-xxxviii: "Potes ipsos cum Dite Dareteque prodicionis reos habere, si libet; potes auctore Sisenna liberare, si placet, Eneam, vel ambos excusare cum Livio, et Ditem Cretensem atque Daretem Phrygium inter apocryphos reputare." Cf. Livy, *Ab urbe condita*, 1.1.1-5, ed. R. M. Ogilvie (Oxford: Clarendon Press, 1974), 4-5.

¹⁵ Philip Jacks, *The Antiquarian and the Myth of Antiquity: The Origins of Rome in Renaissance Thought* (Cambridge: Cambridge University Press, 1993), 80.

¹⁶ On this point, see especially Christopher Wood, *Forgery, Replica, Fiction: Temporalities of German Renaissance Art* (Chicago: University of Chicago Press, 2008), 1-24; and Alexander Nagel and Christopher Wood, *Anachronic Renaissance* (New York: Zone Books, 2010).

graphical and confessional boundaries commented in varying forms upon the *DET*'s contested authenticity. Yet for nearly every source that followed Salutati and questioned its reliability, others implicitly or explicitly reaffirmed its authority. And almost without exception, those who defended Dares did so without the slightest reference to the pseudo-author's critics. From the laudatory prefaces of printed editions to the bio-bibliographical entries of encyclopedic compendia, Dares remained canonical well into the Renaissance. How then to reconcile these divergences?

First, Dares's slow debunking occurred somewhere between two developments frequently linked to early modern reassessments of the canon. For the text's discrediting is traceable neither to the humanistic criticism of Valla, Erasmus, and their heirs, with its professed desire to return *ad fontes* to genuine ancients,¹⁷ nor to the skeptical Pyrrhonism of the latter seventeenth century, fueled by such purported harbingers of "Enlightenment" as Cartesian systematic doubt, Spinozan biblical criticism, and the so-called *querelle* between ancients and moderns.¹⁸ While Salutati's humanist successors remained conspicuously silent concerning the *DET*, even seventeenth-century scholars with such otherwise divergent approaches to antiquity as Jacob Perizonius, G. J. Vossius, and Jean Le Clerc agreed that Dares's spuriousness was settled fact.¹⁹ The weight of learned opinion was manifestly against Dares in 1700, while few in 1400 or even 1500 appear—overtly, at least—to have harbored doubts over the Phrygian. This in itself is hardly unexpected. Rather more surprising, however, is the extent to which seventeenth-century critiques co-opted the substance of earlier sixteenth-century arguments, themselves formulated in an era when the *DET* still enjoyed much of the authority it had acquired in Late Antiquity and the Middle Ages.

¹⁷ See for instance Peter Burke, *The Renaissance Sense of the Past* (London: Edward Arnold, 1969); Lisa Jardine, *Erasmus, Man of Letters: The Construction of Charisma in Print* (Princeton: Princeton University Press, 1993); and Carlo Ginzburg, *History, Rhetoric, and Proof* (Hanover, N.H.: University Press of New England, 1999).

¹⁸ For discussions of seventeenth-century historical thought and its eighteenth-century afterlife, see the classic studies of Paul Hazard, *La crise de la conscience européenne, 1680–1715* (Paris: A. Fayard, 1961) and Arnaldo Momigliano, "Ancient History and the Antiquarian," *Journal of the Warburg and Courtauld Institutes* 13 (1950): 285–315. Important more recent perspectives are found in J.G.A. Pocock, *Barbarism and Religion*, Vols. 1–4 (Cambridge: Cambridge University Press, 1999–2005) and Jonathan Israel, *Radical Enlightenment: Philosophy and the Making of Modernity, 1650–1750* (Oxford: Oxford University Press, 2001).

¹⁹ Jacob Perizonius, "Dissertatio de historia belli Trojani," in *Dictys Cretensis et Dares Phrygius de bello et excidio Trojae* (Amsterdam, 1702), and Jean Le Clerc, *Ars critica* (Amsterdam, 1697), 522. For Vossius, see n.81–n.84 below.

Though oftentimes underemphasized, this final point is crucial to both the contradictions and continuities that mark the early modern fortunes of texts like the *DET*. As with so much else in the ostensibly “classical” canon, Dares was not derived from the Rome of Livy or Cicero, or even that of Quintilian or Tacitus, but rather from a far later milieu, which is today unquestionably labeled “late antique.” Rosamond McKitterick, Bernard Guenée, and other scholars of textual culture in the Middle Ages have demonstrated how sources of this period proved vital to medieval constructions of antiquity,²⁰ while the numerous printings of Isidore, Capella, Claudian, Eutropius, Orosius, and even Dares confirm the continued importance of distinctly late antique traditions, both pagan and Christian, to Renaissance learned culture. Of course, this autumn of the classical world also bequeathed an abundance of apocrypha to future eras. But even as early modern scholars haltingly removed such later accretions from the canon, they frequently approached antiquity through conceptual rubrics developed in these very same late antique and medieval contexts. Indeed, Dares, Isidore, and their medieval readers already bore witness to complex negotiations with the classical past; they too were engaged in classical reception every bit as much as Salutati or Perizonius.

Just as Renaissance scholars encountered Virgil mediated by the late antique commentaries of Servius and Donatus, or Roman chronology sketched by later sources like Eusebius-Jerome, Eutropius, and Paul the Deacon, so they encountered Dares—likewise a product of Late Antiquity—through everything from Isidore’s encyclopedic cataloguing to the heterogeneous anthologies of multi-text medieval codices. Regardless of whether they accepted or denied Dares’s authenticity, their myriad responses betray the longevity of ideas of authority codified in those eras that first canonized the “first pagan historiographer.” From the legacy of medieval codicological associations in Renaissance print to the late antique origins of Renaissance encyclopedism, early modern approaches to Dares relied upon templates developed over the course of a millennium to organize the remnants of Greco-Roman antiquity.

Though long imagined as mutually exclusive, and frequently reduced to a simplified dialectic between the critical and the credulous, the following case study argues that such templates of authority—first articulated at the dawn of the postclassical world—simultaneously shaped two divergent

²⁰ See for instance Rosamond McKitterick, *History and Memory in the Carolingian World* (Cambridge: Cambridge University Press, 2004); and Bernard Guenée, *Histoire et culture historique dans l'Occident médiéval* (Paris: Aubier Montaigne, 1980).

strains of classical reception: on the one hand, a drive to consolidate or expand the canon, and on the other, an equally powerful impetus to authenticate, narrow, or purge its contents. And while no single formulation can account for the stubbornly nonlinear development of early modern higher criticism, the curious *Nachleben* of Dares—a long-venerated first in the history of historical writing—promises to illuminate several of its more perplexing facets.

PSEUDO-HISTORIES ANCIENT AND MODERN: DARES AND ANNIUS OF VITERBO

With respect to the *DET*, this latter impulse possessed a distinctly “modern” catalyst. In 1498 the *Antiquities* of the Dominican friar Annius of Viterbo were printed at Rome, consisting of spurious works attributed to the Babylonian astronomer Berosus, the Egyptian priest Manetho, the Hellenistic Jewish philosopher Philo, and the Roman annalists Cato and Fabius Pictor, among others.²¹ This new “total” vision of antiquity not only integrated pre-existing texts into a confused amalgamation of biblical, Trojan, Celtic, and Etruscan elements, but in doing so also outlined systematic rules of historical criticism. Within decades, the *Antiquities* occasioned a spirited mix of enthusiastic acceptance and polemical critique. As traced by Werner Goetz, Anthony Grafton, Christopher Ligota, Ann Moyer, Walter Stephens, and others, such critiques not only demolished Annius himself, but also stimulated concomitant reassessments of critical method.²² Not surprisingly, several of these attacks engulfed Dares.

²¹ Giovanni Nanni (Annius of Viterbo), *Commentaria super opera diversorum auctorum de antiquitatibus loquentium* (Rome, 1498).

²² For a selection of the extensive literature related to Annius and his afterlife, see Werner Goetz, “Die Anfänge der historischen Methoden-Reflexion im italienischen Humanismus,” in *Geschichte in der Gegenwart: Festschrift für Kurt Kluxen*, ed. Ernst Heinen and Hans Julius Schoeps (Paderborn: Schöningh, 1972), 3–21; Christopher R. Ligota, “Annius of Viterbo and Historical Method,” *Journal of the Warburg and Courtauld Institutes* 50 (1987): 44–56; Walter Stephens, *Giants in Those Days: Folklore, Ancient History, and Nationalism* (Lincoln: University of Nebraska Press, 1989); Anthony Grafton, “Invention of Traditions and Traditions of Invention in Renaissance Europe: The Strange Case of Annius of Viterbo,” in *The Transmission of Culture in Early Modern Europe*, ed. Anthony Grafton and Ann Blair (Philadelphia: University of Pennsylvania Press, 1990), 8–38; Ann Moyer, “Historians and Antiquarians in Sixteenth-Century Florence,” *Journal of the History of Ideas* 64 (2003): 177–93; Walter Stephens, “When Pope Noah Ruled the Etruscans: Annius of Viterbo and His Forged ‘Antiquities,’” *MLN* 119 (2004): 201–23; Ingrid D. Rowland, *The Scarith of Scornello: A Tale of Renaissance Forgery*

In 1565 the Portuguese humanist Gaspar Barreiros published a *Censura* “against that certain author who is circulated under the false name of Berosus the Chaldean,” which, in condemning the *Antiquities*, also contended that Annius’s forgeries possessed clear ancient and medieval precedents.²³ Barreiros noted the presence of fakes in the Aristotelian corpus, while relaying an anecdote (derived from Aulus Gellius) that the Roman antiquary Varro judged only twenty-one of the 120 plays circulated under the name of Plautus as “true and genuine [specimens] of the comic poet.”²⁴ Here Barreiros likewise attacked Dares and Dictys for having “fabricated falsehood,” charging that the former’s true author concocted a spurious epistle from the “most celebrated historian” Cornelius Nepos. To prove his allegation, the Annian critic pronounced it simply “extraordinary” that the *DET*’s barbarous Latin could be attributable to Nepos, a figure of “great and especial genius” who wrote both “carefully and elegantly.”²⁵

Barreiros, however, was not the first to link Annius and Dares. As early as 1531, the Erasmian Juan Luis Vives had indicted both the *DET* and the *Antiquities* in his pedagogical treatise *De tradendis disciplinis*.²⁶ After attacking Annius’s pseudo-Philo, Vives extrapolated a more generalized warning against mendacious ancient texts, informing his hypothetical pupils that “Greek history is most fabulous up to the Olympiads,” and reminding them that no one who might study such an early period “will succeed in separating true things from false.”²⁷ Singling out two particu-

(Chicago: University of Chicago Press, 2004); and Brian Curran, *The Egyptian Renaissance: The Afterlife of Ancient Egypt in Early Modern Italy* (Chicago: University of Chicago Press, 2007).

²³ Gaspar Barreiros, *Censura in quendam auctorem qui sub falsa inscriptione Berosi Chaldaei circumfertur* (Rome, 1565).

²⁴ Ibid., 20: “Notissimum quoque id est, quod refert A. Gellius in Noctibus Atticis, ex centum et xx. Comoedys, quae sub Plauti nomine uulgo ferebantur, unam et uiginti dumtaxat, quae ueram et germanam illius Comici effigiem retulissent, a M. Varrone selectas.” Cf. Aulus Gellius, *Noctes Atticae*, 3.3.1–15, ed. P. K. Marshall (Oxford: Clarendon Press, 1990), 136–39.

²⁵ Barreiros, 19–20: “Simile mendacium confinxit, quisquis ille fuit, qui de bello Troiano duo uolumina confecit, quorum alterum Dicti Cretensi, alterum Dareti Phrygio adscripsit . . . Fecit praeterea Cornelium Nepotem nobilissimum historicum, C. Crispo Sallustio scribentem, quo pacto liber autographus Daretis Phrygii de bello Troiano Athenis inuentus esset, quem, a se ex Graecis conuersum, illi, tamquam munus quoddam mirificum, pro iure amicitiae mitteret. Sed mirum plane, qualis hic Cornelius est, et quantum mutatus ab illo Nepote, Romanarum historiarum celeberrimo scriptore; ex cuius tanti et praeclare ingenii monumentis, sola T. Pomponii Attici uita, quam diligenter, et eleganter scripsit, temporis iniuria superfuit.” On Barreiros and Dares and Dictys, see Stephens, “Pope Noah,” 212.

²⁶ On Vives and Annius, see Stephens, “Pope Noah,” 206, and Grafton, “Invention,” 24.

²⁷ Juan Luis Vives, *De tradendis disciplinis*, in *Opera omnia* (Valencia, 1785), 6: 394:

larly glaring examples of such untruths, he condemned both Dares and Dictys as “figments of ones who desired to amuse themselves with that most famous war.”²⁸ For Vives, although the canon furnished genuine authorities capable of didactic instruction, it also concealed pernicious *figmenta*, devised by both modern forgers like Annius and ancient tricksters like Dares.

But sixteenth-century scholarship was hardly universal in condemning Annius, and several who accepted the *Antiquities* also credited Dares and Dictys as genuine. Johannes Trithemius not only co-opted Annian chronology, but also affirmed that both pseudo-authors witnessed the Trojan War.²⁹ Rabelais’s patron Guillaume Du Bellay, an avid mid-century champion of Annius’s Berosus, similarly professed his faith in Dares and Dictys.³⁰ Moreover, the pronouncements of scholars mired in Annian debates by no means discouraged commonplace affirmations of Dares’s authenticity. Christophe Milieu, outlining his proposed universal history of letters, perfunctorily noted Dictys and Dares’s presence at Troy.³¹ Julius Caesar Scaliger (whose son Joseph, ironically enough, would later help debunk the *DET*) implicitly accepted the Phrygian’s antiquity in his *Poetics*.³² More explicitly, John Dee, annotating his own copy of Dares and Dictys, not only declared confidently that “the truth of this account is certain,” but also commented on “the certitude of this history” when Dictys spoke as an eyewitness.³³ Furthermore, Dee underlined pseudo-Nepos’s prefatory claim

“Graeca historia fabulosissima est usque ad Olympiades, nec quisquam vera a falsis discreverit.”

²⁸ Ibid: “Dares Phrygius, et Dictis Cretensis, figmenta sunt eorum, qui de bello famosissimo voluerunt ludere.”

²⁹ Johannes Trithemius, “Chronologia mystica,” xii, in *Opera historica* (Frankfurt, 1601), 1: unpaginated: “Homerus Poeta Graecus Troiani scriptor excidii, Dares Phrygius, Dictis Cretensis, qui excidio ipsi interfuerunt, et similiter descripserunt, fuisse leguntur his temporibus in humanis.” For the ancient antecedents of Trithemius’s notion of “human times,” see Censorinus, *De die natali* 21.1, ed. Nicolaus Sallmann (Leipzig: Teubner, 1983), 50–51. For Trithemius’s use of Annius, see Grafton, “Invention,” 24.

³⁰ Stephens, *Giants*, 180–82.

³¹ Christophe Milieu, *De scribenda universitatis rerum historia libri quinque* (Basel, 1551), 249. On Milieu, see Donald R. Kelley, “Writing Cultural History in Early Modern Europe: Christophe Milieu and his Project,” *Renaissance Quarterly* 52 (1999): 342–65.

³² Julius Caesar Scaliger, *Poetics libri septem*, facsimile ed. with intro. by August Buck (Stuttgart: Friedrich Frommann, 1964[1561]), 5.

³³ *Belli Troiani scriptores praecipui: Dictys Cretensis, Dares Phrygius et Homerus* (Basel, 1573), now Royal College of Physicians, 20cD139/7, 9959: Dee notes “veritas huius historiae certa” (10) and “certitudo huius historiae” (146). On the former annotation and Dee’s reading of Dictys, see Anthony Grafton, *What Was History: The Art of History in Early Modern Europe* (Cambridge: Cambridge University Press, 2007), 62–63.

that Dares “lived and fought when Greeks fought Trojans,” before asserting the *DET*’s superiority to Homer.³⁴ Finally, almost two centuries after Salutati sought to rehabilitate Rome’s founder by indicting the *DET*, Philip Sidney’s *Defense of Poesy* still contrasted Virgil’s “feigned Aeneas” with the “right Aeneas” of Dares Phrygius.³⁵

CATALOGUING THE “FIRST OF THE HISTORIANS”: DARES AND RENAISSANCE ENCYCLOPEDIISM

As suggested earlier, various forces in sixteenth-century learned culture actively extended Dares’s authority, even as others—perhaps catalyzed by Anniius—challenged the pseudo-author’s claims. The *DET* found some of its most ardent (if inadvertent) champions among Renaissance encyclopedists, who displayed an endless appetite for cataloguing historical sources in formats chronological, alphabetical, or generic. For instance, the *Theatrum vitae humanae* of the Swiss encyclopedist Theodor Zwinger featured detailed lists of historians, including one appropriately devoted to those writers who “wove together the history of many ages and diverse nations by the order and succession of times.” These wide-ranging lists were later incorporated by Johannes Wolf into his anthology of sources relating to historical writing, the 1579 *Artis historicae penus*.³⁶ Restyled in Wolf’s volume as guides to “the reading of history” (*De lectione historiae*), Zwinger’s updated historical lists even traced the evolution of a genre uniquely related to the *Theatrum* itself: for the final category of the *De lectione historiae* was devoted to biographers, especially compilers of collections “concerning illustrious men” or *de viris illustribus*.³⁷ After documenting late antique bio-bibliographers like Gennadius of Marseille and Isidore of Seville, the catalogue leapt by nearly a millennium to record the Italian encyclopedist

³⁴ Royal College of Physicians, 20cD139/7, 9959, 153: Dee underlines “*qui per id tempus uixit et militauit, quo Graeci Troianos oppugnarent*,” and, copying a line found directly below, notes “Minime Homero credendum.”

³⁵ Philip Sidney, *The Defense of Poesy*, ed. Geoffrey Shepherd (London: T. Nelson, 1965), 110.

³⁶ Theodor Zwinger, *Theatrum vitae humanae* (Paris, 1571), 405–6: “Qui vel multorum seculorum, vel nationum diversarum historiam, ordine et serie temporum contexuerunt.” On Zwinger’s approach to history, see Ann Blair, “*Historia* in Zwinger’s *Theatrum humanae vitae*,” in *Historia: Empiricism and Erudition in Early Modern Europe*, ed. Gianna Pomata and Nancy G. Siraisi (Cambridge, Mass.: MIT Press, 2005), 269–96.

³⁷ Theodor Zwinger, “*De lectione historiae*,” in *Artis historicae penus*, ed. Johannes Wolf (Basel, 1579), 2: 642–43.

Raffaello Volterrano, whose 1506 *Anthropologia* it labeled an exhaustive compilation “concerning illustrious men of all peoples.”³⁸

In this fashion, both Zwinger and his subsequent compilers linked contemporary bio-bibliography to the encyclopedic cataloguing begun centuries earlier by Jerome, Isidore, and Gennadius. Broadly speaking, however, late antique compilations had responded to prerogatives vastly different from those that motivated Volterrano and his successors. Whereas Isidorian encyclopedism has been characterized as a veritable “literary Noah’s ark” for a shrinking classical inheritance,³⁹ and Jerome’s *De viris illustribus* has been interpreted as bolstering a thin and fledgling Christian tradition,⁴⁰ Renaissance compilers sought instead to order a surfeit of texts—what Helmut Zedelmaier has linked to notions of “universal bibliography” or *bibliotheca universalis* and Ann Blair has deemed a response to “information overload.”⁴¹ Nevertheless, despite its patently dissimilar aims, late antique encyclopedism served not only as an abstract inspiration for a Renaissance genre, but also as an authoritative guide to the specifics of the canon.

Zwinger and Wolf offer a striking example of such debts. For the *De lectione historiae* included a distinct section on “historians of the Trojans” (*Historici Troianorum*). Here the brief *vita* for Dares featured absolutely nothing akin to the critiques of Salutati, Vives, or Barreiros. Instead, not only did it invoke Isidore, but it was also copied almost verbatim from Volterrano’s *Anthropologia*, that first Renaissance heir to Isidore and Gennadius.⁴² In the *Anthropologia*, where Dares was nestled alphabetically among such luminaries as the bucolic poet Daphnis, the prophet Daniel, and the Roman Decius, Volterrano had recorded with unperturbed directness that “the historian Dares Phrygius wrote of the Trojan War in Greek, in which he himself fought. As Isidore declared, he was nearly the first of the historians. He remained with Antenor’s faction when Troy was cap-

³⁸ Ibid, 643: “RAPHAEL Volaterranus scripsit de Claris viris omnium gentium.”

³⁹ H. Koeppler, “*De Viris Illustribus* and Isidore of Seville,” *Journal of Theological Studies* 37 (1936), 32, discussed in R. H. Rouse and M. A. Rouse, “Bibliography before Print: The Medieval *De Viris Illustribus*,” in *The Role of the Book in Medieval Culture*, ed. Peter Ganz (Turnhout: Brepols, 1986), 1: 135–36.

⁴⁰ Rouse and Rouse, 133–34.

⁴¹ Ann Blair, “Reading Strategies for Coping with Information Overload ca. 1550–1700,” *Journal of the History of Ideas* 64 (2003): 11–28; Ann Blair, *Too Much to Know: Managing Scholarly Information before the Modern Age* (New Haven: Yale University Press, 2010); and Helmut Zedelmaier, *Bibliotheca Universalis und Bibliotheca Selecta: Das Problem der Ordnung des gelehrten Wissens in der frühen Neuzeit* (Cologne: Böhlau, 1992).

⁴² Zwinger, “De lectione,” 628. Cf. Zwinger, *Theatrum*, 409.

tured, as Cornelius Nepos writes, who translated his work into six books from the Greek, and dedicated it to Sallust."⁴³

Like Zwinger in his wake, Volterrano bypassed thorny questions of authenticity and ascription. Rather, he cited other authorities in affirming Dares's *auctoritas*, appealing to Isidore while executing a project manifestly Isidorian in nature. Nor was Zwinger the only sixteenth-century bibliographer to co-opt Volterrano's entry for Dares. Konrad Gesner—who similarly invoked both Jerome and Gennadius as precedents⁴⁴—inserted an identical entry for the Phrygian into his exhaustive *Bibliotheca universalis*, begun in 1545 to compile descriptions of all known published works.⁴⁵ Without questioning Dares's genuineness, a revised edition of Gesner's *Bibliotheca* even expanded Volterrano's summary *vita*, calculating that Dares flourished 2840 years after Creation and 1123 before Christ.⁴⁶ Moreover, Gesner's notice for Nepos announced that the Roman biographer "rendered Dares's history on the Trojan War into Latin, in six books and epic verses."⁴⁷ A similar claim appeared in Johannes Glandorp's *Onomasticon historiae Romanae*, a sixteenth-century Roman prosopography, which likewise affirmed that Nepos "translated Dares Phrygius."⁴⁸

Finally, even Jean Bodin's 1566 *Methodus ad facilem historiarum cognitionem* unhesitatingly accepted Dares in a manner akin to the encyclopedists. In the text's chronological catalogue of historiographers, Bodin not only fell notoriously for Annius's Berosus and Manetho, but he also added a list of *Historici Graecorum* beginning with none other than Dictys Cretensis and "six books of Dares Phrygius concerning the Trojan War, translated from Greek into Latin verse by Cornelius Nepos."⁴⁹ An accompanying

⁴³ Raffaello Volterrano, *Commentariorum urbanorum XXXVIII libri* (Paris, 1526), fol.153v: "Dares Phrygius historicus scripsit bellum Troianum graece: in quo ipse militavit: vt ait Isidorus: primus fere historicorum. qui tandem capto Ilio cum Antenor's factione remansit: vt scribit Cor. Nepos. Qui opus eius in sex libros e graeco conuertit: dicauitque Crispo Sallustio."

⁴⁴ Konrad Gesner, *Bibliotheca universalis* (Zurich, 1545), sig. *4r and *6v.

⁴⁵ Ibid, fol.193r. On Gesner's working methods, see Blair, "Reading Strategies," 25–26. For his debts to Jerome and Gennadius, see Zedelmaier, 26–27.

⁴⁶ Konrad Gesner and Josias Simler, *Bibliotheca instituta et collecta* (Zurich, 1583), 186: "[Dares] claruit anno a creatione mundi 2840 ante Christum 1123."

⁴⁷ Ibid, 176. Cf. n.54 below.

⁴⁸ Johannes Glandorp, *Onomasticon historiae Romanae* (Frankfurt, 1589), 280: "CORNELIUS NEPOS, Historicus, Ciceronis amicus, scripsit Chronica, vitam Ciceronis et Attici . . . Vertit Daretem Phrygium."

⁴⁹ Jean Bodin, *Methodus ad facilem historiarum cognitionem* (Paris, 1566), 450: "Clar. ante Chr. 1129. Daretis Phrygii de bello Troiano libri VI e Graeca lingua Latino carmine conuersi a Cornelio Nepote." On Bodin's acceptance of Annius, Dares, and Dictys, see Grafton, "Invention," 29.

table of dates recorded that both suppositious writers flourished 1129 years before Christ, thereby according the *DET* both visual and chronological priority in the *Methodus*'s universal record of historians. Copied and transmitted from one sixteenth-century compendium to another, diverse encyclopedic sources perpetuated the Phrygian's authority through a proliferation of entries, notices, and *vitae*, blithely undisturbed by emergent attacks against the *DET*.

WEBS OF MISATTRIBUTION ANCIENT AND MEDIEVAL: DARES FROM MANUSCRIPT TO PRINT

At first glance, the aforementioned encyclopedic portrayals of the "first pagan historiographer" seem to constitute straightforward extensions of Isidore's pronouncement, rendered a millennium earlier. Yet closer inspection reveals considerable inconsistencies. According to Volterrano, Nepos fashioned the Latin Dares into "six books"; in Gesner's words, he translated "six books in epic verse"; for Bodin, the Roman biographer produced six books "in Latin verse" or *Latino carmine*. Yet not only is the *DET* not divided into six component books, but it is manifestly a work of prose. And it was precisely the inelegance of the *DET*'s prose that had prompted Barreiros to declare its ascription to Nepos simply "extraordinary." Whatever its literary merits, the *DET* was altogether *not* a work in *Latino carmine*.

These perplexities expose a surprising early modern debt to late antique and medieval engagements with the classical past. For Zwinger and his fellow encyclopedists had inadvertently confused a late antique pseudo-history with a classicizing medieval epic. As noted earlier, the Middle Ages spawned numerous poetic appropriations of the *DET*. One such attempt to render Dares in *Latino carmine*—Joseph of Exeter's *Frigii Daretis Yliados*—earned a respected place in the medieval canon.⁵⁰ Written in late-twelfth-century England, the *Yliados* constitutes a textbook example of self-conscious classical *imitatio*, as Joseph retold Dares's tale in finely wrought hexameters, divided his poem into six books, and added flourishes reminiscent of Virgil, Statius, and Lucan.⁵¹

⁵⁰ Joseph of Exeter, *Frigii Daretis Yliados libri sex*, ed. Ludwig Gompf (Leiden: Brill, 1970).

⁵¹ Walter B. Sedgwick, "The *Bellum Troianum* of Joseph of Exeter," *Speculum* 5 (1930): 49–76.

But this Anglo-Latin poet was not destined to remain long associated with his versification of Dares. Medieval copies often omitted any reference to Joseph's authorship, instead referring to the text simply as *Frigii Daretis Yliados*⁵²—in homage to that “Phrygian oracle” whom, contra Virgil and Homer, Joseph had deemed “a more certain informer to explain that war of which fable is ignorant.”⁵³ When Renaissance printers (familiar with the longstanding claim that Nepos had translated the actual *DET*) encountered manuscripts of a Latin epic identified with Dares, they naturally assumed that *Nepos* was responsible for its elegant hexameters. Accordingly, several sixteenth-century printings of Dares placed the prose *DET* alongside Joseph's poem and “extraordinarily” ascribed both to Nepos himself, presenting a twelfth-century versification as a recently rediscovered ancient Roman epic.

In this fashion, a late antique forgery, credited to the “first pagan historiographer” who purportedly flourished deep in the remote ancient past, and whose survival was supposedly due to a venerable Augustan biographer, saw its own false claims transferred unintentionally to an ingenious work of twelfth-century classical *imitatio*. Precisely as practitioners of higher criticism began to demolish Dares, Anniius, and other apocryphal items in the canon, a potent confluence of printing, editing, and encyclopedic cataloguing extended the Phrygian's *auctoritas* in new directions—the culmination of an intricate web of texts, ascriptions, and authorities woven together through a millennium of classical reception. Furthermore, confusions in print between Joseph and Nepos directly influenced discussions of Dares in bio-bibliographical compendia. For instance, Gesner's entry for Nepos—while expressing some necessary reservations and even acknowledging that others judged the poem to be the work of a Briton—nevertheless recorded that the Roman biographer “rendered Dares's history of the Trojan War into Latin in six books and epic verses, printed at Basel with the epitome of the *Iliad* of Pindar of Thebes. Also attributed to him is a *periocha* of Dares's six books in prose, printed in the same volume.”⁵⁴

This collection, printed multiple times beginning in 1541, offers a dra-

⁵² See Gompf, *Frigii Daretis Yliados libri sex*, 12–19.

⁵³ Joseph of Exeter, *Yliados*, 1.24–26, 78: “Meoniumne senem mirer Latiumne Maronem / An vatem Frigium, Martem cui certior index / Explicuit presens oculus, quem fabula nescit?”

⁵⁴ Gesner and Simler, 176: “Daretis Phrygii historiam de bello Troiano versibus heroicis Latinam fecit libris sex, excusam Basileae cum Pindari Thebani epitome Iliados, etc. ibidem. Ei attribuitur etiam Periocha sex librorum Daretis sermone soluto, eodem volumine excusa.” See also Gesner, *Bibliotheca universalis*, fol.188r.

matic example of those webs of misattribution that so defined Dares's sixteenth-century fortunes.⁵⁵ Here Joseph's *Yliados* and Dares's *DET* (both credited to Nepos, with the latter classified as an abridgement) appeared alongside the so-called *Ilias Latina*, a Latin epitome of Homer's *Iliad* probably composed in the first century CE. However, as Gesner's *Bibliotheca* confirms, Renaissance sources rather bizarrely attributed the *Ilias Latina* to the ancient Greek lyricist Pindar of Thebes. As proposed by Marco Scaffai, the recent editor of the Latin *Iliad*, this mix-up likewise owed itself to the material contexts of medieval transmission, derived potentially from an infelicitous mixture of codicological association and scribal corruption. Beginning in the tenth century, several manuscripts paired this Homeric abridgement with Dares.⁵⁶ As Scaffai speculates, one or more incipits or library catalogues may have titled these multi-text codices *Homerus dein Dares* or "Homer, then Dares,"—a formulation later miscopied as *Homerus Peindares*, and eventually, *Homerus Pindarus*.⁵⁷ Indeed, already by the twelfth century, the universal chronicler Otto von Freising referred to "Pindar" when patently discussing Homer's Troy.⁵⁸

Approximately four centuries after Otto von Freising and Joseph of Exeter, a Renaissance collection of Trojan texts unknowingly united a Neronian-era epitome, a late antique forgery, and a classicizing medieval epic—variously attributed to an Augustan biographer, an ancient Greek lyricist, and "the first pagan historiographer" himself. Such unlikely associations were further bolstered through bio-bibliography. Not only did this Basel edition feature a prefatory *vita* for Dares copied directly from Volterrano's *Anthropologia*, but the title of the volume represented a deliberate reworking of the *vita* itself. Whereas Volterrano, evoking Isidore, had deemed Dares "the first of all the historians," the Basel *DET* altered this tag slightly but significantly to reflect Joseph's epic, labeling the Phrygian "the first of all the historians and poets."⁵⁹

However, the *Ilias Latina* and the *Yliados* are hardly alone in commu-

⁵⁵ On the confusions present in this edition, Joseph's *editio princeps*, see Gompf, 10–12.

⁵⁶ Cf. *Ilias Latina*, ed. Marco Scaffai (Bologna: Pàtron, 1982), 35–36 and Faivre D'Arcier, 108 and 156.

⁵⁷ Marco Scaffai, "Pindarus seu Homerus: un' ipotesi sul titolo dell'*Ilias Latina*," *Latomus* 38 (1979): 932–39.

⁵⁸ Otto von Freising, *Chronica*, 1.25, ed. Adolf Hofmeister, MGH, *Scriptores Rerum Germanicarum* 45 (Hanover, 1912), 56.

⁵⁹ Dares Phrygius, *De excidio Troiae historia* (Basel, 1541), title page: "Daretis Phrygii Poetarum et Historicorum omnium primi, de bello Troiano, in quo ipse militauit, Libri (quibus multis seculis caruimus) sex . . ." See also Gompf, *Frigii Daretis Yliados libri sex*, 10–11.

nicating the complex early modern legacy of Dares's medieval transmission. As mentioned above, William of Malmesbury produced his own copy of the *DET* in twelfth-century England. Just as he prefaced Dares with an excerpt from Isidore, so he also added a brief coda to the text—a so-called *Origo Troianorum* that traced the Trojan family tree from Dardanus to Aeneas. In yet another case of misattribution, William erroneously deemed the genealogy a fragment of the lost *De originibus* of the Roman censor Cato the Elder.⁶⁰ Although subsequent copies lack William's ascription to Cato, numerous manuscripts from the twelfth century onwards likewise paired the *DET* with this *Origo Troianorum*, which eventually appeared in several Renaissance printings of Dares. At least one, published at Paris in 1520, attributed the genealogy to the Phrygian himself, titling it "Dares Phrygius on the origins of the Trojans."⁶¹ This Paris edition also featured woodcut images of Greek and Trojan heroes, accompanied by verses attributed to "Pindarus Thebanus."⁶² Such verses—used here to augment Dares's prose—were in fact excerpts from the *Ilias Latina*.

Several decades later, both Dares and the *Origo Troianorum* were paired with texts of far greater contemporary relevance. As briefly noted by Walter Stephens, a combined Italian translation of Dares, Dictys, and the Annian *Antiquities* appeared at Venice in 1543, complete with Pietro Lauro's Italian rendering of Annius's Berosus.⁶³ Inspection of the edition also reveals a vernacular version of the *Origo Troianorum* prominently placed at the beginning of Dares—a genealogy whose widespread association with the *DET* began centuries earlier in the Middle Ages.⁶⁴ Though perhaps simply reflective of the vagaries of transmission, this association also possessed contemporary resonances: Dardanus, of course, was integral to Annius's Tuscan-centered vision of world history, and the *Origo Troianorum*, true to ancient tradition, documented how Dardanus traveled from Italy to Phrygia, where he eventually founded Troy. Hence, both the *DET* and the *Antiquities*, ancient and modern pseudo-histories simultaneously indicted by Renaissance critics, were also conjoined in Renaissance print, linked in part by an obscure genealogy frequently appended to the medieval Dares.

⁶⁰ Bodleian Library MS Arch. Selden B.16, fol.7r. For fuller discussion of the genealogy see R.M. Thomson, *William of Malmesbury*, 2nd ed. (Woodbridge: Boydell Press, 2003), 57.

⁶¹ *De excidio Troiae historia: cum figuris cum privilegio* (Paris, 1520), sig. A. i: "Dares phrygius De origine Troianorum."

⁶² The first plate, for instance, features an image of the Judgment of Paris and verses entitled "Pindarus Thebanus de Alexandro Paride ad hectorem fratrem."

⁶³ Stephens, *Giants*, 383n.19.

⁶⁴ *Ditte Candiano della guerra Troiana* (Venice, 1543), fol.67v: "Dell'origine de Troiani."

Finally, sixteenth-century print also established material connections between Dares and texts that did not possess lengthy medieval transmission histories. Nevertheless, these pairings perpetuated those very compilatory impulses which had formerly absorbed the *DET* into countless multi-author medieval codices, from Eusebian chronologies to Trojan genealogies. For instance, Dares and Dictys were inserted squarely into the middle of a Latin translation of Diodorus Siculus's *Bibliotheca historica*, famously begun by Poggio Bracciolini in the fifteenth century and later printed at Basel in 1559 with a preface drawn from Henri Estienne's new edition of Diodorus's original Greek. Notwithstanding the efforts of humanists from Poggio to Estienne, Diodorus's complete history had proven irrecoverable, leaving a gaping lacuna in that very portion of the text which presumably detailed the Trojan War. Undeterred, the 1559 edition deftly remedied this shortcoming—in the words of its title page—by “interposing” Dares and Dictys within Diodorus's *Bibliotheca*, thereby “supplement[ing] the lacuna of five books, which are missing between books five and eleven.”⁶⁵ Much like medieval codices, Renaissance print continued to absorb heterogeneous texts and traditions into continuous narratives, even integrating late Latin spuria into genuine Greek texts of the first century BCE.

The *DET*'s importance to sixteenth-century print and encyclopedism underscores the extent to which the text conserved its late antique and medieval *auctoritas* well into the Renaissance. Both bio-bibliography and print—symbiotically related to one another—frequently perpetuated those very responses to antiquity that had first canonized the Phrygian. Whereas the former took its inspiration from a late antique genre which had similarly “ordered” past textual traditions, so the latter continued practices of compilation and ascription which had long governed the packaging of texts in medieval codices. However, neither were inherently or exclusively conservative; on the contrary, their use of long-established templates extended Dares's authority in novel directions, christening the Phrygian “the first of the poets” and fusing his Troy narrative with “new” histories (both genuine and forged) from Diodorus's *Bibliotheca* to the Annian *Antiquities*. The force of these webs of authority and attribution is aptly conveyed in a copy of the Paris *DET*, discussed above. Here, a contemporary annotation scribbled on the title page recorded that Dares “lived during the time of Samson, 1129 years before Christ,” once more reemphasizing—even at the micro-

⁶⁵ Diodorus Siculus, *Bibliothecae historicae libri XV* (Basel, 1559), title page: “Praeterea interiecta est Dictys Cretensis et Daretis Phrygii de bello Troiano historia, ad supplendam lacunam quinquę librorum, qui inter quintum et undecimum desiderantur.”

level of individualized readings—the Phrygian’s status as “first pagan historiographer.”⁶⁶

HIGHER CRITICISM AND SELECTIVE BIBLIOGRAPHY: DARES IN THE SEVENTEENTH CENTURY

Over the course of the next fifty years, this uneasy coexistence of criticism and credulity gradually yielded to a widening chorus of attacks against the *DET*. In 1593 the Italian Jesuit Antonio Possevino published his *Bibliotheca selecta*, designed, as Helmut Zedelmaier and Luigi Balsamo have emphasized, as a deliberate counterpoint to the ideology of *bibliotheca universalis* advanced by Gesner and other Protestant encyclopedists.⁶⁷ Unlike Gesner’s attempt to compile a “universal” bibliographical record, Possevino assembled a narrowed list of approved authorities, reflective of current philological scholarship and Counter-Reformation orthodoxy. However, the *Bibliotheca selecta* was not solely a riposte to Gesner. Instead, Possevino’s compendium also revised those catalogues of historical writers appended to Bodin’s *Methodus*, recasting them as prescriptive notices of the “order of reading” or *ordo legendi*. Though the bulk of his redactions reflected confessional prerogatives, Possevino’s *ordo legendi* for Greek historiographers offers a striking example of *bibliotheca selecta* or “selective bibliography” applied to classical scholarship: while the Jesuit copied verbatim nearly the entirety of Bodin’s Greek canon, conspicuously absent from the very top of his list were Dictys and Dares.⁶⁸

Elsewhere in the *Bibliotheca*, Possevino explained this omission. Much like Vives and Barreiros, after having announced that Annianus’s pseudo-Philo lacked the “eloquence, gravity, piety, and truth” present in its genuine counterpart,⁶⁹ he asserted that “neither are Dictys Cretensis and Dares Phrygius, who are joined to the *Bibliotheca* of Diodorus, the genuine ones known in antiquity.” Although Possevino acknowledged Isidore’s conten-

⁶⁶ Columbia University Rare Book and Manuscript Library, Lodge 1520 D24: annotation on title page reads “Vixit tempore Samsonis ante Christum natum 1129.”

⁶⁷ See Zedelmaier, *Bibliotheca Universalis und Bibliotheca Selecta*, 128–49, and Luigi Balsamo, “How to Doctor a Bibliography: Antonio Possevino’s Practice,” in *Church, Censorship and Culture in Early Modern Italy*, ed. Gigliola Fragnito (Cambridge: Cambridge University Press, 2001), 50–78.

⁶⁸ Antonio Possevino, *Bibliotheca selecta* (Cologne, 1607), 2: 281.

⁶⁹ *Ibid.*, 343: “Praeterea, quae legitima Philonis opera extant, nil quidquam habent simile cum istis Anniani Philonis; quippe stylo, eloquentia, grauitate, pietate, veritate praestant, quae nulla sunt in hoc altero.”

tion that “Dares was the first of the pagans who wrote history,” and left open the possibility that a lost genuine *DET* may have once existed in some capacity, even Isidore’s imprimatur proved an insufficient match to the logic of selective bibliography. For if Isidore were correct, Possevino asked, and the ancient world had possessed this supposed text of its “first historiographer,” why did such diverse authorities as Livy, Diodorus, Pompeius Trogus, and Eusebius narrate the events of Troy so “frigidly and timidly?”⁷⁰ Hence, Possevino’s critique depended ultimately upon the total authoritative weight of the “selected” ancient canon. Whereas encyclopedic bio-bibliography absorbed an ever-increasing number of texts within the canon’s penumbra, Possevino weighed its competing elements against each other, and demolished those found wanting. Even Diodorus, joined to the *DET* in contemporary print, constituted a source of challenge to that very text it had materially bolstered.⁷¹

Approximately a decade later, Dares attracted the attention of one of the most avid practitioners of early modern higher criticism—the classical scholar Joseph Scaliger. In a 1605 letter to Isaac Casaubon—with whom he corresponded at length concerning apocrypha and pseudepigrapha—Scaliger challenged a range of Jewish, Christian, and pagan sources.⁷² Simultaneously debunking pseudo-Callisthenes, pseudo-Hecataeus, Aristaetus, and the Sibylline Oracles, he pronounced in passing that the Latin Dares and Dictys betrayed their spuriousness through their “ignorance of the Greek language.”⁷³ Immediately thereafter, he exclaimed to Casaubon “what can one say of that Latin verse epitome of the *Iliad*? How ridiculously have they advertised it as belonging to Pindar of Thebes!”⁷⁴ Intrigu-

⁷⁰ Ibid, 344: “Neque item Dyclys Cretensis, et Dares Phrygius, qui Diodori Bibliothecae adiunguntur, legitimi sunt illi, qui antiquitus habebantur . . . Et quidem Isidorus mentionem istius historiae facit, cum eum inquit primum Gentilium fuisse, qui historias scripserit . . . Sed nil horum ad nostra tempora peruenisse certissima illa sunt argumenta, quod Liuius, Diodorus Siculus, Pompeius Trogus, Velleius Paternulus, et Eusebius, atque alii non tam frigide, ac timide narrassent gesta Troianorum, si tam luculentam habuissent historiam, atque eiusmodi testibus oculatis uti potuissent.”

⁷¹ On Diodorus’s importance to Possevino, see Zedelmaier, *Bibliotheca Universalis und Bibliotheca Selecta*, 154–59.

⁷² On this letter and Scaliger’s unmasking of apocrypha, see Anthony Grafton, *Joseph Scaliger: A Study in the History of Classical Scholarship* (Oxford: Clarendon Press, 1993), 2: 705–6.

⁷³ Joseph Scaliger, *Epistolae* (Leiden, 1627), 303: “Nam Graecismi imperitum eum vincunt scripta ejus. Istiusmodi ὑποβολιμαίων scriptorum monstra olim fuerunt, in quibus Dares Phrygius, Dictys Cretensis, qui hodie Latini exstant.”

⁷⁴ Ibid: “Quid dicas de Epitome Iliados Epica Latina? quam ridicule Pindarum Thebanum proscripserunt?”

ingly, just as Possevino had used Diodorus to disprove Dares, so Scaliger together indicted the *DET* and the *Ilias Latina*, simultaneously unmasking as pseudepigraphal two texts long conjoined in manuscript and print. Furthermore, Scaliger's library auction catalogue records that he owned a volume of Dares and "Pindar" from Basel, an edition of the very collection discussed above.⁷⁵ Albeit in a fashion necessarily speculative, such associations suggest that the material contexts of texts and transmission could also inform higher criticism, just as they had buttressed textual authorities in print.

Yet Scaliger's debunking was informed by a far more ambitious attempt to order the past. For the Leiden professor also invoked both Dictys and Dares in his *Animadversiones* on Eusebius's *Chronicon*, a component of his 1606 *Thesaurus temporum*. Unlike Possevino, who perfunctorily appealed to Eusebian *auctoritas* in purging Dares from the canon, Scaliger used Dares's spuriousness as a means of correcting errors in Eusebius, while painstakingly reconstructing a canonical work of ancient chronology. Specifically, Scaliger took issue with Eusebius's claim that the Trojan Antenor governed postwar Troy, until his descendents were overthrown by Helen and the sons of Hector.⁷⁶ Noting that Helen instead retired to Epirus, and Antenor settled in the Veneto and founded Padua, he concluded that Eusebius's *Chronicon* "conflicted with the memory of all things Trojan." And where had Eusebius absorbed these distortions of Trojan mythography? In Scaliger's estimation, they were derived "from the suppositious writers Dictys Cretensis and Dares Phrygius."⁷⁷

Despite their newfound critical acumen, Possevino and Scaliger's critiques by no means signaled radical departures from those templates of antiquity and authority utilized throughout the previous century. Like their more credulous predecessors, these critics similarly valorized manifestations of ancient *auctoritas*. However, their conceptions of authoritative tradition differed markedly from one another: whereas Possevino's indictment of Dares rested upon the inviolable legitimacy of ancient sources as diverse

⁷⁵ Louis Elzevir, *The Auction Catalogue of the Library of J.J. Scaliger*, facsimile ed. with intro. by H.J. de Jonge (Utrecht: H&S Publishers, 1977[1609]), 55.

⁷⁶ Eusebius, *Chronici canones*, ed. John Knight Fotheringham (London: Humphrey Milford, 1923), 103.

⁷⁷ Joseph Scaliger, *Thesaurus temporum* (Leiden, 1606), 51–52: "Deinde qui sunt isti Antenoridae praeter posteritatem Antenoris, qui Venetiis occupatis Patauium condidit? Denique quomodo Helenus potuit esse auctor huius expeditionis, qui semper post excidium Troiae in Epiro vixit . . . ? Haec profecto pugnant cum omni Troicarum rerum memoria. Tamen unde haec Eusebio? A supposititiis scriptoribus Dictye Crete, et Darete Phryge."

as Diodorus and Eusebius, Scaliger evaluated both the Phrygian and Eusebius through an amalgamation of extra-textual criteria, centered on the chronological, linguistic, and mythographic contextualization of texts in time. Specifically, the *Thesaurus temporum* measured the *DET* and the *Chronicon* alike against an authoritative “memory of all things Trojan”—ultimately predicated on no single canonical source.⁷⁸ Yet even this critical contextualization furnished unexpected points of continuity with earlier readings. For Antenor’s purported links to Padua and the Veneto, accorded a certain historico-mythographic authority by Scaliger, had informed lengthy ancient and medieval traditions of the “origins of peoples” or *origines gentium*—the basis of Italian claims to Trojan ancestry which sources like the *DET* had previously buttressed.⁷⁹

A broadly similar approach to authority emerges in one of the seventeenth century’s most involved indictments of Dares, formulated by the Dutch classical scholar G. J. Vossius.⁸⁰ Vossius’s attacks bore the imprint of earlier critiques: not only did he cite the *Thesaurus temporum*,⁸¹ but he also avowed that Juan Luis Vives “judged rightly” in labeling Dares and Dictys *figmenta*.⁸² However, his debunking strategy most resembled that of the Annian critic Gaspar Barreiros, as it too faulted the *DET*’s Latinity while lauding the venerable Cornelius Nepos. In his 1627 *De historicis Latinis*, Vossius argued that pseudo-Nepos “did not so much translate, as *write* [the *DET*] in Latin,” before sardonically condemning the text as the “invention of one who hardly knew any Latin,”⁸³ while in his 1624 *De historicis Graecis* he had demanded to know “what could be purer and more elegant” than the extant writings of the genuine Nepos. Finally, comparing the two,

⁷⁸ For Scaliger’s approaches to the historicity of ancient mythography, see H. J. Erasmus, *The Origins of Rome in Historiography from Petrarch to Perizonius* (Assen: Van Gorcum, 1962), 46–48; Anthony Grafton, “Renaissance Readers and Ancient Texts: Comments on Some Commentaries,” *Renaissance Quarterly* 38 (1985): 636; and Grafton, *Joseph Scaliger*, 2: 428–31 and 656–58.

⁷⁹ On Antenor and claims to Trojan descent in the Veneto, see Patricia Fortini Brown, *Venice and Antiquity: The Venetian Sense of the Past* (New Haven: Yale University Press, 1996), 24–25.

⁸⁰ For Vossius, see Nicholas Wickenden, *G. J. Vossius and the Humanist Concept of History* (Assen: Van Gorcum, 1993).

⁸¹ G. J. Vossius, *De historicis Graecis* (Leiden, 1624), 428.

⁸² *Ibid.*, 429: “Recte igitur sensit Ludovicus Vives in quinto de tradendis disciplinis; cum ait, et Daretem, et Dictyn istum . . . esse *figmenta eorum, qui de bello famosissimo voluerunt ludere*.”

⁸³ G. J. Vossius, *De historicis Latinis* (Leiden, 1627), 626: “Plane autem arbitror, esse commentum hominis, qui non tam verterit, quam scripserit Latine: imo qui haut admodum Latine sciverit.”

he echoed Plautus and pithily remarked “puppies smell one way, pigs another.”⁸⁴ In this fashion, Vossius’s historiographical compendia—more philologically informed heirs to sixteenth-century bio-bibliography—likewise demolished Dares through appeals to an accepted and authoritative canon.

From Salutati, Vives, and Barreiros to Possevino, Scaliger, and Vossius, critics of Dares each practiced their own unique variants of *bibliotheca selecta*. Despite their considerable methodological diversity, together their arguments perpetuated that old propensity—as old as the canon itself—to pit texts, traditions, and *auctoritates* against one another. Each debunking depended upon an authority invested in competing sources and counterexamples: Salutati had his Livy, Possevino his Diodorus and Eusebius, Vossius and Barreiros their Nepos, and Scaliger his “memory of all things Trojan.” Vives and Possevino together judged the canon through schemes of *ordo legendi*, whether for pedagogical or doctrinal ends. Vossius, citing Scaliger and Vives, affirmed that higher criticism did not emerge *ex nihilo*, but instead possessed its own precedents and transmission histories. However, this valorization of precedent is perhaps most forcefully conveyed in Barreiros’s *Censura*, designed to safeguard the canon against Annian revisionism. As discussed above, Barreiros sought out ancient precedents for higher criticism in the Roman Varro, who cleansed the Plautine corpus of its spurious accretions.

Yet much like the *DET*’s encyclopedic defenders, Barreiros also looked to late antique sources for authoritative guidance: immediately after discussing Varro and Dares, he invoked the *Decretum Gelasianum*, a sixth-century bibliographical compilation similar in form, but rather different in intent, from those collections *de viris illustribus* of Jerome, Gennadius, and Isidore. For the *Decretum Gelasianum* had catalogued biblical and patristic texts “to be accepted and not to be accepted” (*de libris recipiendis et non recipiendis*), separating genuine and orthodox books from their apocryphal and heretical counterparts.⁸⁵ Appropriately enough, directly after condemning the *DET*, Barreiros offered a lengthy excerpt from this early Christian version of *bibliotheca selecta*, provided to illustrate how ancients and

⁸⁴ Vossius, *De historicis Graecis*, 429: “Sed exstat genuini Cornelii Nepotis liber de Attici vita; item, quem scripsit de Imperatoribus externis. Quid his libris purius; elegantiusque? Quid ad ista tralatio Daretis? Nempe, ut dici solet, aliter catuli olent, aliter sues.” Cf. Plautus, *Epidicus*, 4.2.579, ed. W. M. Lindsay (Oxford: Clarendon Press, 1904), 376.

⁸⁵ *Decretum Gelasianum de libris recipiendis et non recipiendis*, ed. Ernst von Dobschütz (Leipzig: J.C. Hinrichs, 1912). See also Rouse and Rouse, “Bibliography before Print,” 138–39.

moderns alike could challenge “false and fabricated books” and “bogus and fallacious arts.”⁸⁶ But of course, in an example that fittingly encapsulates the many ironies inherent in the long history of higher criticism, the *Decretum Gelasianum* was itself apocryphal, as it was altogether *not* the work of the fifth-century Pope Gelasius but rather of a later anonymous compiler.

More than a century after Barreiros’s *Censura*, Dares’s “false and fabricated” nature was once again reiterated by an unlikely heir to the *Decretum Gelasianum*. The Hamburg professor Vincent Placcius included the *DET* in his exhaustive encyclopedia of pseudonymous and anonymous writers (*Theatrum anonymorum et pseudonymorum*), printed posthumously in 1708. Having unceremoniously stripped the text of its antiquity and authority, Placcius catalogued the *DET* simply as “that book concerning the Trojan War written under the name Dares Phrygius, and *believed* to be translated by Cornelius Nepos.”⁸⁷ Without bothering to debunk the text at length, he merely cited Vossius for relevant analysis. Though catalogues of spuria perhaps constitute the ultimate inversion of *de viris illustribus*, memorializing authors who lived only in the incipits of manuscripts and the title pages of printed books, the scope and scale of Placcius’s *Theatrum* reflected the encyclopedic breadth of Gesner, Zwinger, and their fellow bibliographers, who themselves sought to emulate venerable late antique traditions. Despite their divergent conclusions, encyclopedism, higher criticism, and even encyclopedic higher criticism together perpetuated projects as distinct as Isidore’s *Etymologies* and the pseudo-Gelasian *Decretals*—those first attempts to order classical, biblical, and patristic inheritances by augmenting or narrowing the canon.

ANTIQUITY AND AUTHORITY: DARES AND THE ORDERING OF THE CLASSICAL CANON

Neither an early victim of fifteenth-century humanists nor a late victim of skeptical Pyrrhonists, Dares’s early modern afterlife offers no fixed or cer-

⁸⁶ Barreiros, 21: “. . . Vir sanctissimus Gelasius, Pontifex Maximus, libros huiusmodi, quos falsos et commenticios iudicauerat, lege scripta curauit ab omnibus bibliothecis extrudendos. quam legem hic duximus subiiciendam, ut melius intelligatur, quantum praepostera hominum ingenia fallacibus huiusmodi, et fucosis artibus delectentur.”

⁸⁷ Vincent Placcius, *Theatrum anonymorum et pseudonymorum* (Hamburg, 1708), 2: 222: “DARETIS PHRYGII nomine scriptus (I) *de bello Trojano* liber, et translatus a Cornelio Nepote creditus . . .” On Placcius, see Martin Mulsow, “Practices of Unmask-

tain moment of “debunking.” Nor do Dares’s fortunes conform to modern teleologies of the purported triumph of philology, historicism, and critical method. Instead, the seemingly paradoxical mixture of criticism and credulity so evident in sixteenth-century contexts gave way with but a whimper. It would be left to later critics—proto-Enlightenment skeptics who pursued far more consequential targets than the Phrygian—to raise a more systemic challenge to antiquity, signaling a new chapter in an ongoing story of conflict and rapprochement between ancients and moderns.

Although derived from a single case study of a now-obscure pseudepigraphal text, the aforementioned ambiguities highlight the extent to which Renaissance philology and bibliography perpetuated the prerogatives of late antique encyclopedism and medieval compilation, just as much as both reflected new ideologies of humanism and new technologies of print. Even those critiques marked by a newfound readiness to read against *auctoritas* sprang from a deeply held valorization of antiquity. Seventeenth-century scholars who unmasked Dares’s spuriousness harnessed a logic variously articulated by early Christian decretals and sixteenth-century Annian critics. And even Annius, notwithstanding his purported novelty, owed his own debts to the ideological underpinnings of late antique compilation. As Anthony Grafton has emphasized, the *Antiquities* represented yet another incarnation of that long-held impulse “to enfold in a single encyclopedic history the origins of society and culture,” first articulated by Eusebius and Isidore.⁸⁸ Like Isidore, Annius too participated in an ongoing project, begun in the waning days of the classical world and continued throughout the Middle Ages, to order the textual products (whether genuine or forged) of an otherwise alien antiquity.

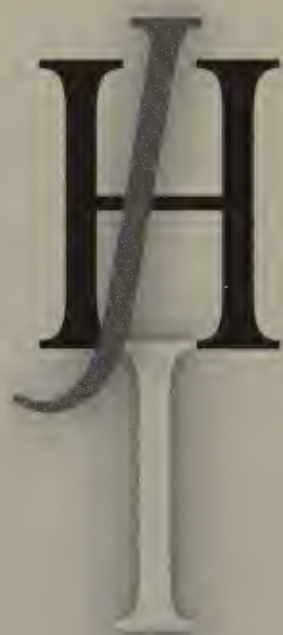
Such attempts to confer temporal order on the canon—whether through consolidation, expansion, or selection—are of crucial importance to the legacy of Dares, imagined since the seventh century as an unrivaled “first” in the history of classical historiography. Hence, just as the Phrygian’s early modern afterlife is not a story of neat linear progress, neither is it solely one of contradiction and incongruity. Instead, the uncertain course traversed by Isidore’s “first pagan historiographer” furnishes evidence of deep and surprising continuities in approaches to antiquity and *auctoritas*, stretching across the ancient, the medieval, and the modern. Regardless of

ing: Polyhistor, Correspondence, and the Birth of Dictionaries of Pseudonymity in Seventeenth-Century Germany,” *Journal of the History of Ideas* 67 (2006): 219–50, and Ann Blair, “Note Taking as an Art of Transmission,” *Critical Inquiry* 31 (2004), 104–5.

⁸⁸ Grafton, “Invention,” 16.

whether they confirmed or challenged Dares's privileged place in the classical canon, early modern scholars both credulous and critical continued to draw upon multilayered accretions of authority which had defined practices of classical reception for centuries.

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*Rousseau's Debt to Burlamaqui:
The Ideal of Nature and the Nature of Things*

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The aim of this essay is to examine two very different thinkers writing in a very similar context: Jean-Jacques Burlamaqui and Jean-Jacques Rousseau. Rather than providing a comprehensive analysis of the relationship between the two, attention is focused on one important respect in which their theories converge: the way that both employed the idea of nature as a normative ideal, and both maintained that what is good and just is so by the very nature of things. The significance and purpose of doing so is threefold. Building on recent research, the opening section of the essay establishes Burlamaqui's status as more than just a plagiarist of earlier natural law theorists, emphasizing the originality of his thought in this context. The extent to which Rousseau's approach to natural right followed Burlamaqui's is explored in the second section. In doing so the problematic relationship between nature as a normative ideal and the role of artifice and denaturing is addressed, a problem that has proved a source of much contention amongst Rousseau scholars. The final section adumbrates the implications for the way that modern natural law was received in Geneva, drawing attention to the infusion of a transcendent standard of justice into the existing discourse, which owed more to Malebranche and Leibniz than to Pufendorf and Barbeyrac.

I would like to thank Professor Iain Hampsher-Monk, Christopher Nathan and the two anonymous readers for the *Journal of the History of Ideas* for their insightful comments on earlier drafts of this essay.

While Rousseau is one of the most written about figures in the history of ideas, the place of Burlamaqui, his Genevan contemporary, has received very little attention. When he has been considered it has usually been alongside other natural law theorists in analyzing their influence on the founding fathers and the American Revolution.¹ For a long time the relationship between the two thinkers went unexamined, seemingly bearing testimony to the opinion of Giorgio Del Vecchio that Burlamaqui was an unoriginal theorist who had little influence on Rousseau.² Helena Rosenblatt's comprehensive study of the Genevan context of Rousseau's thought suggests otherwise, however, stressing the importance of Burlamaqui in the political controversies that shaped 1750s Geneva, to which Rousseau responded in his main political writings.³ In addition, Petter Korkman's recent edition of Burlamaqui's seminal work—in which many of the originally unreferenced sources are identified—not only demonstrates the extent to which Burlamaqui deferred to Jean Barbeyrac's editions of Grotius and Pufendorf, but also draws attention to where he distinctively broke from them and merits being appreciated as an original thinker in his own right.⁴

Although Burlamaqui is best known as the author of *The Principles of Natural and Political Law*, the opus consists of two quite distinct volumes: *The Principles of Natural Law* and *The Principles of Political Law*.⁵ It is well to focus on the former of these when assessing the extent of Burlamaqui's originality as he never authorized the latter, which was only published

¹ See Morton White, *The Philosophy of the American Revolution* (New York: Oxford University Press, 1978); Andrew J. Reck, "Natural Law in American Revolutionary Thought," *The Review of Metaphysics* 30 (1977): 686–714; Ursula M. Von Eckardt, *The Pursuit of Happiness in the Democratic Creed: An Analysis of Political Ethics* (New York: Praeger, 1959), 180–223; Ray F. Harvey, *Jean Jacques Burlamaqui: A Liberal Tradition in American Constitutionalism* (Chapel Hill: University of North Carolina Press, 1937).

² Giorgio Del Vecchio, "Burlamaqui and Rousseau," *Journal of the History of Ideas* 23 (1962): 420–23. See also Robert Derathé, *Jean-Jacques Rousseau et la Science Politique de son Temps* (Paris: J. Vrin, 1992), 84–89; Yves Glaziou, *Hobbes en France au XIII^e Siècle* (Paris: Presses Universitaires de France, 1993), 61.

³ Helena Rosenblatt, *Rousseau and Geneva: From the First Discourse to the Social Contract, 1749–1762* (Cambridge: Cambridge University Press, 1997).

⁴ Jean-Jacques Burlamaqui, *The Principles of Natural and Political Law*, ed. Petter Korkman, trans. Thomas Nugent (Indianapolis, Ind.: Liberty Fund, 2006). All references to Burlamaqui are to the two volumes that comprise this work, *The Principles of Natural Law* (PNL) and *The Principles of Political Law* (PPL), in each case given by part, chapter, section, and page number for ease of reference with other editions (as are references to Pufendorf).

⁵ For this account I follow Petter Korkman, "Introduction," in Burlamaqui, *The Principles of Natural and Political Law*, xi–xiv.

posthumously based on his lecture notes. Moreover, its content was largely derivative and often deferred to Barbeyrac's editions of Grotius and Pufendorf verbatim; indeed the most original aspects of *The Principles of Political Law* were usually little more than summaries of arguments that had been developed in the earlier work. In contrast, Burlamaqui oversaw the publication of *The Principles of Natural Law* himself in 1747, intending it to serve as an introduction to natural law for his students, and, ironically, to prevent his lectures from being "published against [his] will, in a very imperfect and mangled condition."⁶ Both volumes, however, must be taken into account when considering the influence on Rousseau, not least because his most famous work, *On the Social Contract, or Principles of Political Right*, adopted the title of Burlamaqui's second volume.⁷

I.

From the opening lines of *The Principles of Natural Law* Burlamaqui indicated his intention to expand the domain of natural law, its end being not just man's preservation but ultimately his happiness:

My design is to enquire into those rules which nature alone prescribes to man, in order to conduct him safely to the end, which every one has, and indeed ought to have, in view, namely, true and solid happiness. . . . There can be nothing therefore more deserving of the application of a rational being, of a being that has its perfection and felicity seriously at heart. A just knowledge of the maxims we ought to follow in the course of life, is the principal object of wisdom; and virtue consists in putting them constantly in practice, without being ever diverted from so noble a pursuit.⁸

This language is remarkable given that Burlamaqui was locating his ideas in the tradition of modern natural law. Not only does happiness become man's teleological end, but man's very perfection comprises of his wisdom

⁶ PNL, "THE Author's Advertisement," 7.

⁷ In each case the French is "principes du droit Politique." The subtitle was changed from the original draft best known as the *Geneva Manuscript*, but fully titled *On the Social Contract, or Essay about the Form of the Republic*. The significance of this is noted by Roger Masters, *The Political Philosophy of Rousseau* (Princeton, N.J.: Princeton University Press, 1968), 301–2; and Rosenblatt, *Rousseau and Geneva*, 242.

⁸ PNL, I.I.I, 31–32.

and virtue. Such language was notably absent from Burlamaqui's predecessors. For Hobbes, famously, man's desire for self-preservation was undeniable and incontrovertible, and this alone provided the foundation for the laws of nature, with the primary law being to seek peace.⁹ Although for Pufendorf the emphasis was on sociability, the fundamental law of nature remained "*to promote and preserve a peaceful Sociableness with others,*" and self-preservation and sociability were to be in no way opposed to one another.¹⁰ For both Hobbes and Pufendorf, civil society was justified by its ability to procure man's peaceful coexistence and its origin derived from men seeking to preserve themselves from one another.¹¹

Burlamaqui, however, firmly rejected the prevalence of man's preservation in providing the foundation for natural law. Only animals endeavor towards self-preservation and the laws of nature could not be founded on such a base desire that would fail to distinguish man from beast. Man is a noble being who endeavors towards happiness, which is the ultimate end of all his actions, "essential to man, and inseparable from his nature."¹² The end of God in creating man was to render him happy,¹³ which entailed possession of those goods "suitable or agreeable to man for his preservation, perfection, conveniency, or pleasure."¹⁴ Man's preservation, so central for Hobbes and Pufendorf, was negligible for Burlamaqui in comparison with his happiness and perfection. Burlamaqui stressed the role of God in his account of natural law to a far greater extent than either Pufendorf or even Barbeyrac, most notably in his elaborate discussion of the immortality of the soul completing the sanction of natural law in accordance with divine wisdom.¹⁵

The significance of this becomes clear when examining the way that Burlamaqui employed the idea of nature, which differed in important respects from that of Pufendorf and Barbeyrac and foreshadowed Rousseau. Since man's nature was a gift from God, nothing repugnant to it could ever be justified. Burlamaqui sought to reinvest the idea of man's nature with the attributes deserving of God's creation, asserting that what comes

⁹ Hobbes, *On the Citizen*, ed. and trans. Richard Tuck and Michael Silverthorne (Cambridge: Cambridge University Press, 1998), 31.

¹⁰ Samuel Pufendorf, *Of the Law of Nature and Nations: Eight Books*, trans. Basil Kennet (London: J. Walthoe, R. Wilkin, etc., 1729), II.III.XV–XVI, 136–39.

¹¹ Pufendorf, *Law of Nature*, VII.I.VII, 629–31.

¹² PNL, I.V.IV–VI, 65–66.

¹³ PNL, I.II.VIII, 46.

¹⁴ PNL, I.II.I, 40.

¹⁵ PNL, II.XVIII, 236–47.

from a perfect being is in itself good and that it is only the abuse of man's natural faculties that converts God's "noblest gifts into poison."¹⁶ Burlamaqui eschewed an account of human nature drawn from man's postlapsarian state. By the eighteenth century Genevan Calvinism was optimistic about human nature, with many ministers relegating the dogma of Original Sin and subscribing to a theological anthropology that stressed man's free will and capacity for virtue.¹⁷ Both Burlamaqui and Rousseau adopted this positive view of human nature in marked contrast to the likes of Pufendorf, who relied on a more pessimistic account of man that reflected his Lutheran inheritance.¹⁸

Burlamaqui considered Hobbes's state of nature to be a moral vacuum and although Pufendorf and Barbeyrac had gone some way to refuting the amorality of natural man, neither had done enough to establish the moral obligations of natural law antecedent to human conventions and positive law.¹⁹ Hobbes's account of natural man was not only stripped of all morality but also of free will. In this respect, at least, Burlamaqui considered that Pufendorf had successfully confuted Hobbes's materialism and established man's freedom. Pufendorf had directed his account of free will against Hobbes's *De Homine*, and claimed that the will's acts of choice and refusal are neither necessary nor spontaneous but freely determined.²⁰ Moral actions, then, are voluntary actions depending on the human will as a free cause without determination.²¹ Burlamaqui followed Pufendorf closely, maintaining that as man is endowed with a free will then voluntary actions could be imputed to him; freedom provided the basis for all morality.²²

Burlamaqui emphasized that which he took to be Pufendorf's division between man's physical and moral side. In Burlamaqui's voice, however, the distinction adopted a unique tone, with actions being distinguished into those that are purely spiritual, emanating from the soul, and those that are merely corporeal or physical. All human or voluntary actions originate in the soul, "as they are produced and directed by those noble faculties with which man has been enriched by his Creator." Burlamaqui proceeded to clarify that the principal faculties of the soul are "the understanding, will

¹⁶ *PNL*, I.V.VII, 66–67.

¹⁷ Rosenblatt, 11–17, 175–76.

¹⁸ Kari Saastamoinen, *The Morality of the Fallen Man: Samuel Pufendorf on Natural Law* (Helsinki: Societa Historica Finlandiae, 1995), 38–52.

¹⁹ *PNL*, II.VII, 179–92.

²⁰ Pufendorf, *Law of Nature*, I.IV.II, 35.

²¹ Pufendorf, *Law of Nature*, I.V.I, 44.

²² *PNL*, I.II–III, 40–57.

and liberty.”²³ It is well to keep in mind the distinction that Burlamaqui stressed between man’s physical and moral side as it would also prove prominent in Rousseau’s account of the nature of man, with free will being an attribute of the latter. For Rousseau, echoing Burlamaqui, man’s consciousness of his freedom would reveal “the spirituality of his soul,” a freedom from which followed “only purely spiritual acts about which the Laws of Mechanics explain nothing.”²⁴

For Burlamaqui, the discussion of man’s nature could not be complete without considering the noble faculties that God had given man, *qua* gifts from God. Man’s nature provided a positive standard, thus social institutions would have to be in accordance with this nature and not corrupt it.²⁵ Burlamaqui’s positive conception of nature resulted in him having to modify an essential component of modern natural law theory. Both Hobbes and Pufendorf had developed their theories from a state of nature in which man lived without civil laws, and which was employed to justify the necessity of civil society and sovereignty. Yet that which his predecessors had described as the state of nature was only discussed by Burlamaqui in terms of man’s original or primitive state, enabling him to explicitly redefine the notion of the natural state of man and extend it to include:

all those into which man enters by his own act and agreement, and that are conformable in the main to his nature, and contain nothing but what is agreeable to his constitution and the end for which he was formed.²⁶

For Burlamaqui, man’s primitive state was only that prior to the instigation of civil society. Man’s natural state, in contrast, provided an indeterminate ideal with which civil society should conform, as confirmed in *The Principles of Political Law*, where the civil state was presented as “the most perfect, the most reasonable, and of course *the true natural state of man*.”²⁷

²³ PNL, I.IV.V, 33–34; II.XIII.XI, 242–43.

²⁴ Jean-Jacques Rousseau, *Discourse on the Origins of Inequality (Second Discourse)*, trans. in *The Collected Writings of Rousseau*, ed. Roger Masters and Christopher Kelly (Hanover, N.H.: University Press of New England, 1990–2010), 3: 26; *Œuvres complètes de Jean-Jacques Rousseau*, ed. Bernard Gagnebin and Marcel Raymond (Paris: Bibliothèque de la Pléiade, 1959–95), 3: 142. Hereafter reference to Rousseau, with the exception of *Emile*, will be to the *Collected Writings* (CW) followed by the *Œuvres complètes* (OC), in each case cited by volume and page numbers.

²⁵ PNL, I.IX.XI, 102; I.X.XV, 112; II.VI.II, 173.

²⁶ PNL, I.IV.XI, 62–63.

²⁷ PPL, I.III.XXVI, 287, my emphasis.

The division between nature and artifice is all but removed in Burlamaqui's theory; rather the natural state of man becomes a normative ideal, that is, a state that is in accordance with the end and nature of man. Burlamaqui's separation of man's natural state and primitive state supplied a sharp distinction that is not to be found in Hobbes's or Pufendorf's accounts. Indeed Pufendorf had argued the seemingly paradoxical, that "natural sociability" was a "social" construct.²⁸ By defining man's natural state as that which is conformable with man's nature and end, rather than his primitive condition, Burlamaqui could elide this apparent paradox when declaring that man's natural state is one "of union and society."²⁹

Burlamaqui may have renamed the state of nature as man's primitive state, but in most other respects his depiction of this state was taken directly from Pufendorf. For Burlamaqui, the life of solitary man would be one of weakness and ignorance; he would be in "a state of indigence and incessant wants."³⁰ For Pufendorf, like Hobbes, the state of nature provided a negative standard from which civil society could be justified.³¹ Barbeyrac had criticized both for not appreciating the simplicity of the times from which civil societies developed, when man's desires would not result in a state of conflict and fear.³² Revealingly, however, Burlamaqui omitted any discussion of Barbeyrac's account as it was necessary for him to preserve the negative standard of man's primitive state to provide the force behind his justification of sovereignty and rule by a superior. At once, then, Burlamaqui followed Hobbes and Pufendorf in holding man's primitive state as a negative standard to justify the civil state, yet by detaching man's primitive state from his natural state he also employed an idea of nature as a normative ideal that foreshadowed Rousseau.

If man's natural state was to be a positive ideal then it followed that this state could not be subverted by political institutions. This was not applicable to Burlamaqui's predecessors and had proved of little concern to them; rather the purpose of the civil state had been to remedy the deficiencies of man's natural state. However, for Burlamaqui, man's very nature had to be explicated in a manner that would be in accordance with the

²⁸ Istvan Hont, "The Language of Sociability and Commerce: Samuel Pufendorf and the Theoretical Foundations of the 'Four-Stages Theory,'" in *The Languages of Political Theory in Early-Modern Europe*, ed. Anthony Pagden (Cambridge: Cambridge University Press, 1987), 253–76; 128.

²⁹ *PNL*, I.IV.III, 58.

³⁰ *PNL*, I.IV.IV–V, 59–60. C.f. Pufendorf, *Law of Nature*, II.I.VIII, 101.

³¹ Pufendorf, *Law of Nature*, VII.I.IV–VII, 626–31.

³² Barbeyrac's note to Pufendorf, *Law of Nature*, VII.I.VII, 629–30.

form of civil society he sought to legitimize. As a result, when Burlamaqui came to consider general laws and sovereignty he had to frame the problem so that its solution would be compatible with man's end and the very nature of things:

The question is to know the foundation of a necessary sovereignty and dependence; that is, such as is *founded on the very nature of things*, and is a natural consequence of the constitution of those beings to whom it is attributed.³³

In addressing this problem, Burlamaqui had to break from Pufendorf and reject the idea of natural equality. There could be no sovereignty or dependence between things naturally equal, thus there must be essential differences of qualities from which the relation of superior and inferior may be grounded in "the very nature of those beings."³⁴ In civil society, Burlamaqui observed, all men are not equal, the sovereign commands and the subjects obey. This is clearly a "*society of inequality*," and if civil society is by its nature unequal then man's natural state must also be one of inequality.³⁵ It is precisely because man is by nature dependent and unequal that sovereignty and rule by a superior could be justified as in accordance with the nature of things.³⁶

This argument is not without its problems. Burlamaqui insisted that the idea of natural right must be founded on the nature of man.³⁷ Yet Burlamaqui started with a premise about the nature of civil society to derive a conclusion about man's natural state; natural inequality is presupposed to justify sovereignty. Rousseau—who was equally concerned with civil society being based on the nature of things—would invert this very approach by developing his account of sovereignty to preserve the moral equality natural to man. Indeed Rousseau considered that moral inequalities could only ever be consistent with natural right when "combined in the same proportion with Physical inequality," a distinction which demonstrates that the inequality that reigns among all civilized peoples "is manifestly against the Law of Nature."³⁸ It should also be noted that Burlamaqui was not entirely consistent in postulating man's natural inequality. The Pufendor-

³³ PNL, I.IX.I, 92, my emphasis.

³⁴ PNL, I.IX.II, 92.

³⁵ PNL, I.VIII.V, 90.

³⁶ PNL, I.VIII.II, 88–89.

³⁷ PNL, I.I.II, 32; I.X.XV, 112; II.IV.V, 147.

³⁸ *Second Discourse*, CW3: 67; OC3: 193–94.

fian idea that man's original state was one of equality and independence recurred in *The Principles of Political Law*, which it is well to remember was published against Burlamaqui's will.³⁹ For Burlamaqui's theory to be coherent, however, civil society could only be in accordance with nature if man's natural state was one of dependence and inequality. Given this, it may seem reasonable to extend some interpretative charity and dismiss the occasions on which Burlamaqui asserted man's natural equality as simple deference to his predecessors, which belie the originality of his own position.

The extent to which Burlamaqui employed the idea that what is right is so by the nature of things against Pufendorf and Barbeyrac is clearest when considering his discussion of obligation and the foundations of sovereignty. The context for this discussion is supplied by Barbeyrac's defense of Pufendorf from the criticisms leveled at him by Leibniz, which are worth summarizing in brief.⁴⁰ Pufendorf had claimed, against Hobbes, that obligation must generate both fear and reverence; power to compel the will by an external force and reasons to provide a moral force and bind it internally.⁴¹ Leibniz, however, criticized what he perceived to be Pufendorf's Hobbism. Both Hobbes and Pufendorf had destroyed the possibility of any obligatory force antecedent to positive laws by locating the efficient cause of natural law in the will of a superior.⁴² On Leibniz's account, Pufendorf derived all obligations from the will of a superior, ultimately reducing the foundation of justice to nothing more than God's arbitrary will. Leibniz rejected Pufendorf's divine command ethics as they failed to provide a satisfactory justification of God, leaving open the possibility that man submits to God as he would to a tyrant. Justice does not come from God's will but from eternal truths in accordance with certain rules of equality and

³⁹ *PPL*, I.I.II, 272; I.VI.III, 301.

⁴⁰ For more comprehensive accounts see Ian Hunter, "Conflicting Obligations: Pufendorf, Leibniz and Barbeyrac on Civil Authority," *History of Political Thought* 25 (2004): 670–99; Petter Korkman, "Voluntarism and Moral Obligation: Barbeyrac's Defence of Pufendorf Revisited," in *Early Modern Natural Law Theories: Contexts and Strategies in the Early Enlightenment*, ed. Timothy J. Hochstrasser and Peter Schröder (Dordrecht: Kluwer Academic Publishers, 2003), 195–226; Jerome B. Schneewind, *The Invention of Autonomy: A History of Modern Moral Philosophy* (Cambridge: Cambridge University Press, 1998), 250–59.

⁴¹ Pufendorf, *Law of Nature*, I.VI.V–X, 61–65.

⁴² Gottfried W. Leibniz quoted by Jean Barbeyrac, "The Judgement of an Anonymous Writer on the Original of This Abridgement, With reflections of the translator, intended to clarify certain of the author's principles," trans. David Saunders, in Samuel Pufendorf, *The Whole Duty of Man, According to the Law of Nature*, ed. Ian Hunter and David Saunders (Indianapolis, Ind.: Liberty Fund, 2003), 286–87.

proportion.⁴³ To maintain that both reason and the will of a superior are necessary for obligation is facile logic; either reason establishes obligation prior to force or it no longer imposes obligation once force is removed.⁴⁴

Barbeyrac responded, quite accurately, that Leibniz had failed to understand Pufendorf's principles and had misrepresented his ideas on God and obligation deriving from the will of a superior.⁴⁵ The exchange between Barbeyrac and Leibniz has been taken to exemplify that between rationalism and voluntarism,⁴⁶ yet it is well to stress that Barbeyrac's defense presented Pufendorf as taking a middle ground and that he thought together they "avoid the two vicious extremes to which men have been drawn on this question."⁴⁷ Barbeyrac sought to avoid founding obligation on the nature of things alone, which would provide a justification independent of God, whilst at the same time denying that justice is a result of God's arbitrary will and that obedience to God is akin to that under a tyrant. Nevertheless, Barbeyrac accepted the distinction that either obligation to the rules of justice is "independent of the divinity, and grounded solely in the very nature of things . . . or it is no way grounded in the nature of things." For Barbeyrac, the will of a superior was paramount and he sided explicitly with the latter view, against Leibniz, by affirming that God's will is required, first and foremost, to ground obligation.⁴⁸

This exchange is illuminating as Burlamaqui took Leibniz's criticisms of Pufendorf to be far more forceful, as illustrated by a note explicitly addressing the exchange in which he stated that "there is still something wanting to the entire justification of this author's system."⁴⁹ Revealingly, an early response to Barbeyrac can be found in a short essay by Burlamaqui's one time student, Emer de Vattel, published in 1747. Vattel took issue with this very section of Barbeyrac's argument and sided with Leibniz that obligation arising from the will of a superior is devoid of all foundation.⁵⁰

⁴³ Leibniz quoted by Barbeyrac, "Judgement," 288–90.

⁴⁴ Leibniz, "Judgement," 300–302.

⁴⁵ Barbeyrac, "Judgement," 290–91; more generally see Korkman, "Voluntarism and Moral Obligation."

⁴⁶ Schneewind, *The Invention of Autonomy*, 251.

⁴⁷ Barbeyrac, "Judgement," 297.

⁴⁸ Barbeyrac, "Judgement," 290–95. Barbeyrac also stressed the will of a superior over right reason in his note to Pufendorf, *Duty of Man*, I.I.I, 27.

⁴⁹ PNL, II.XIV.XVI, 257.

⁵⁰ Emer de Vattel, *Essay on the Foundation of Natural Law and on the First Principle of the Obligation Men Find Themselves Under to Observe*, trans. Timothy J. Hochstrasser, in *The Law of Nations, Or, Principles of the Law of Nature, Applied to the Conduct and Affairs of Nations and Sovereigns, with Three Early Essays on the Origin and Nature of Natural Law and on Luxury*, ed. Béla Kapossy and Richard Whatmore (Indianapolis, Ind.: Liberty Fund, 2008), 766–67.

Similarly Burlamaqui maintained, with Leibniz and Vattel, that obligation and justice are derived from the very nature of things. Contesting Barbeyrac's insistence that the will of a superior is the primary source of obligation, Burlamaqui asserted that reason is all important in providing the first origin of obligation,⁵¹ and quoting Cicero, he averred that right reason itself "*is indeed a true law, agreeable to nature, common to all men, constant, immutable, eternal.*"⁵² Reason generates internal obligation and although force can add an external obligation to this, reason alone is sufficient, "so the whole force of the external obligation ultimately depends on the internal."⁵³ Man is obliged without the will of a superior by his conscience, which "is properly no more than reason itself."⁵⁴ When claiming that obligation derives from the nature of things Burlamaqui echoed Leibniz's eternal truths; to justify God he elevated justice to a transcendent standard and employed the sort of metaphysical abstraction to which neither Pufendorf nor Barbeyrac would resort.

Burlamaqui addressed Leibniz's criticism of Pufendorf's alleged voluntarism by arguing that Barbeyrac had not done enough to justify obligation derived from God. For Burlamaqui, the quality of creator alone was insufficient to generate obligation because it does not necessitate God's wisdom and goodness. It is only once man is assured that God is good and that He therefore desires our happiness, wise and therefore has the knowledge to make us happy, and powerful so that He can command us, that the obligation to God arises.⁵⁵ By insisting that man has to know that God is good, Burlamaqui held God to an independent criterion of good, distancing himself from Pufendorf and Barbeyrac for whom goodness and justice were inseparable from the very idea of God.⁵⁶

Burlamaqui concluded his chapter on the foundations of sovereignty by claiming that his account mainly coincided with Pufendorf's,⁵⁷ and it is likely that such apologetic comments go some way to explaining why he is often considered as an unoriginal thinker. Burlamaqui's account of obligation, however, was far removed from the divine command ethics that Leibniz criticized Pufendorf for holding. Pufendorf's whole philosophy was set

⁵¹ PNL, I.VI.IX–XII, 76–79.

⁵² PNL, II.V.XI, 172.

⁵³ PNL, I.VI.XIII, 80; II.VII.XIII, 188–90.

⁵⁴ PNL, II.VII.VIII–X, 184–87; II.IX.II, 197.

⁵⁵ PNL, I.IX.VI–VIII, 96–99.

⁵⁶ For this interpretation of Pufendorf see Saastamoinen, 95–110, and for Barbeyrac see Korkman, "Voluntarism and Moral Obligation."

⁵⁷ PNL, I.IX.XII, 103.

out against the idea of deriving man's duties from a moral nature accessed through divine reflection or transcendent reason.⁵⁸ Barbeyrac had followed Pufendorf and insisted that obligation does not originate from reason or the nature of things alone. Yet Burlamaqui firmly rejected this idea and placed an emphasis on reason as an essential attribute of man's nature that was more in accord with Leibniz's transcendent conception than Pufendorf's instrumental capacity.

Throughout Burlamaqui's thought one finds repeated references to nature as a normative ideal. Man's ultimate end, true happiness, must be consistent "with the nature and state of man"; the idea of right distinguished from power is "borrowed from the very nature of things"; "the civil state supposes the nature of man"; and justice and truth depend "on the nature of things."⁵⁹ To be sure, for earlier theorists the laws of nature had been derived from an account of man's nature, yet man's natural state did not provide a regulative normative ideal for civil society. Pufendorf may be viewed as having held a "non-purposeful conception of nature,"⁶⁰ and this characterized the natural law tradition more generally. Burlamaqui transformed the idea of man's nature from a descriptive device into a normative ideal, so that civil society and positive law had to be in accordance with nature, or man's nature; his God-given gifts could be neither alienated nor subverted. Similarly, Burlamaqui referred to the nature of things as supplying a transcendent standard of justice that had more in common with Leibnizian eternal truths than with the thought of his predecessors in the natural law tradition. This infusion of a normative ideal of nature into modern natural law theory would prove to be Burlamaqui's greatest legacy to Rousseau.

II.

The subtitle of the *Social Contract* aside, there is only one clear reference to Burlamaqui in Rousseau's principal writings and correspondence. This is to be found in the Preface to the *Second Discourse* where Rousseau

⁵⁸ Ian Hunter, "The Love of a Sage or the Command of a Superior: The Natural Law Doctrines of Leibniz and Pufendorf," in *Early Modern Natural Law Theories*, 175–76.

⁵⁹ *PNL*, I.VI.III, 72; I.VII.III, 82–83; II.VI.II, 173; *PPL*, III.I.XIII, 397, respectively. Throughout "the (very) nature of things" is a translation of "la nature des choses" or "la nature même des choses." For the French see, for instance, Jean-Jacques Burlamaqui, *Principes du Droit Naturel* (Geneva: Barrillot and Fils, 1747), 80.

⁶⁰ Saastamoinen, 119.

claimed that, following Burlamaqui, an inquiry into natural right must begin from the nature of man:

It is this ignorance of the Nature of man that throws so much uncertainty and obscurity on the true definition of natural right: for the idea of right, says M. Burlamaqui, and even more that of natural right are manifestly ideas relative to the Nature of man. It is therefore from this very Nature of man, he continues, from his constitution and his state, that the principles of that science must be deduced.⁶¹

Rousseau quoted Burlamaqui almost word for word.⁶² Indeed this is the only textual evidence that demonstrates Rousseau's familiarity with Burlamaqui's writings. Why single out Burlamaqui's approach to natural right specifically? One reason may have concerned contemporary Genevan politics. Following his polemically charged dedication to the Republic of Geneva, Rousseau may have deemed it apt to pay deference to one of the authorities invoked by the Genevan patriciate before proceeding to subvert the accounts of natural law they employed to justify their authority.⁶³ Yet other natural law theorists were frequently cited by the patriciate and elsewhere Rousseau was content to criticize the "Philosophers," in general, who "have all felt the necessity of going back to the state of Nature" without ever reaching it.⁶⁴ Conceptually, however, Burlamaqui was unique amongst the natural law theorists in maintaining that man's natural state provides the basis for both natural and political right. Given the limited textual evidence it is difficult to assess the extent to which Burlamaqui influenced Rousseau's ideas concerning nature more generally. Nonetheless, at the beginning of the *Second Discourse* Rousseau explicitly signaled that he would follow Burlamaqui in his method of deducing natural right from the very nature of man; an approach that he would pursue to conclusions quite contrary to those of his Genevan predecessor.

The role of nature in Rousseau's thought is somewhat more complicated than it was for Burlamaqui. Rousseau used nature in two concept-

⁶¹ *Second Discourse*, CW3: 13; OC3: 124.

⁶² See PNL, I.I.II, 32.

⁶³ Rosenblatt locates the *Second Discourse* in this context, 88–177.

⁶⁴ *Second Discourse*, CW3: 18; OC3: 132. C.f. Victor Goldschmidt, *Anthropologie et Politique: Les principes du système de Rousseau* (Paris: J. Vrin, 1974), 168, who simply reads the reference to Burlamaqui as part of Rousseau's general polemic against these philosophers.

ally distinct senses, one descriptive and one normative. On the one hand he followed most modern natural law theorists in giving an account of the state of nature and the conditions of natural man in such a state; the sense that Burlamaqui had so neatly eschewed by referring to man's primitive condition and original state. On the other hand Rousseau used nature in the sense that echoed Burlamaqui, speaking of the "Gifts of Nature" and maintaining that what is good and just is so by the very nature of things. The former sense is descriptive and opposed to artifice or convention, the latter is normative and provides a regulative ideal throughout Rousseau's thought. For example, man is not naturally sociable, but his unsociability is by no means a gift from nature or in accordance with the nature of things, thus society need not be opposed to nature in the normative sense. Man's natural condition is not the same as the nature of man; one is physical, the other moral. While this conceptual distinction is not always clear throughout Rousseau's writings, if kept in mind it serves to resolve the perplexities that otherwise abound when examining Rousseau's idea of nature.

In the Preface to the *Second Discourse* Rousseau claimed to have meditated on the first operations of the human soul and discovered two fundamental principles from which the rules of natural right follow: an interest in our well-being, or self-preservation, and a repugnance to seeing any sentient beings suffer, or pity.⁶⁵ Rousseau proceeded, like Burlamaqui, to emphasize the Pufendorbian distinction between man's physical and moral attributes. The latter—which distinguish man from beast—comprised of man's capacity for freedom, or his free will, and his perfectibility.⁶⁶

Perfectibility was simply the potential for man's condition to be transformed (paradoxically, as will be seen, making denaturing compatible with his nature). Pity proved the first example of man's interest in his own well-being, his love of self, being directed towards others. The essential attributes of man's nature could, then, be reduced to two: his self-preservation and his free will, or, in other words, his life and freedom. Indeed Rousseau insisted that life and freedom are "the essential Gifts of Nature" and that man's freedom is "a gift they receive from Nature by being men."⁶⁷ Where for previous thinkers man's preservation and peaceful coexistence had provided the foundations for natural law, both Burlamaqui and Rousseau insisted that more than such a reductive account of man's life must be taken

⁶⁵ *Second Discourse*, CW3: 15; OC3: 125–26.

⁶⁶ *Second Discourse*, CW3: 25–27; OC3: 141–43.

⁶⁷ *Second Discourse*, CW3: 59; OC3: 184. Rousseau repeated this language in his more overtly political writings, see *Social Contract*, CW4: 135; OC3: 356; *History of the Government of Geneva*, CW9: 120; OC5: 519.

into account. Burlamaqui extended the domain in the direction of man's happiness and perfection, Rousseau towards man's freedom.

Rousseau employed the device of the state of nature to give an account of man's essential attributes, yet he also used it to contest previous natural law theorists' depictions of man's natural condition. Where Hobbes and Pufendorf presented man's condition in the state of nature as miserable and wretched, Rousseau argued that in the pure state of nature man's existence would be peaceful and contented. For Rousseau, the state of nature did not only serve a descriptive purpose; it also represented an ideal of man's harmonious existence. Man's natural primitive state was one where physical inequalities were negligible and moral inequalities yet to arise, amour-propre had not become inflamed and man was yet to develop the passions that would place the individual in contradiction with society. Man lived in harmony in accordance with the nature of things, as all the contradictions that would lead to man's misery were yet to surface: those between his duties and inclinations, nature and social institutions, and man and citizen.⁶⁸ Man's original condition was one in which he enjoyed his noble gifts of nature without putting them to ill use. The second part of the *Second Discourse*, by contrast, reveals how these gifts of nature were abused and depicts the ensuing miserable condition that the likes of Hobbes and Pufendorf had thought natural to man; or, *pace* Burlamaqui, it demonstrates how man converts God's noblest gifts into poison.

From Rousseau's account of nature in the *Second Discourse* the role that the concept serves in his political theory more generally is far from obvious, and this aspect of Rousseau's thought is often overlooked or repudiated. Famously, Leo Strauss claimed that for Rousseau, "it became necessary to abandon altogether the attempt to find the basis of right in nature, in human nature,"⁶⁹ while others have insisted that his attempt to re-found society on nature "creates a paradox which lies at the centre of Rousseau's ultimate incoherence."⁷⁰ However, there is more than just the coherence of

⁶⁸ *Political Fragments*, CW4: 41; OC3: 510.

⁶⁹ Leo Strauss, *Natural Right and History* (Chicago, Ill.: University of Chicago Press, 1953), 274. For a range of interpretative approaches that arrive at much the same conclusion, see Schneewind, *The Invention of Autonomy*, 473; Pierre Manent, *An Intellectual History of Liberalism*, trans. Rebecca Balinski (Princeton, N.J.: Princeton University Press, 1994), 78; Judith N. Shklar, *Men and Citizens: A Study of Rousseau's Social Theory* (Cambridge: Cambridge University Press, 1985), 38; Marc F. Plattner, *Rousseau's State of Nature: an Interpretation of the Discourse on Inequality* (DeKalb: Northern Illinois University Press, 1979), 110; Lester G. Crocker, *Rousseau's Social Contract: An Interpretive Essay* (Cleveland, Oh.: Case Western Reserve University, 1968), 91.

⁷⁰ John Charvet, *The Social Problem in the Philosophy of Rousseau* (Cambridge: Cambridge University Press, 1974), 2.

Rousseau's oeuvre at stake concerning the question of whether or not nature provides a normative standard. In Straussian terms, the question is one of whether Rousseau both succumbed to and compounded the crisis of natural right in modernity, or whether he sought to reaffirm a classical conception of natural right that the likes of Hobbes had rejected. In short, it is a question of whether Rousseau held a transcendent or positivistic conception of justice.⁷¹

In what follows, it is argued that if nature is understood as a normative ideal, and the nature of things as a transcendent standard of justice, then the role of nature in Rousseau's thought is quite coherent; indeed it served much the same purpose as it did for Burlamaqui. To be sure, man's condition in society is very different from that in the state of nature, yet society is to be founded on man's nature and justice on the very nature of things. To demonstrate this it is well to examine two of the strongest challenges to this interpretation that arise in the *Social Contract*: that justice is artificial and based on conventions and that man's nature is irrevocably lost through a process of denaturing.

In Book I, Chapter I, of the *Social Contract* Rousseau insisted that although the social order is a sacred right, "this right does not come from nature; it is therefore based on conventions."⁷² In the *Second Discourse* Rousseau had already shown that the social order does not come from nature, at least to the extent that man is not born for society and that the onset of social relations arose from purely contingent factors.⁷³ In the *Social Contract* Rousseau's assertion is set out explicitly in the context of examining illegitimate justifications for the social order. Rousseau commenced by briefly dismissing the contention that political society can be based on the family, an argument most readily associated with Robert Filmer that he had earlier ridiculed in his article *Political Economy* for the *Encyclopédie*.⁷⁴ Rousseau then turned to refute the claim that there is a natural right of the strongest and that natural slavery can ground the social order. In doing so he brought to bear his account of the state of nature on the arguments that

⁷¹ This question is often couched in terms of either Plato or Hobbes and permeates the studies by Arthur Melzer, *The Natural Goodness of Man: On the System of Rousseau's Thought* (Chicago, Ill.: University of Chicago Press, 1990); and David Lay Williams, *Rousseau's Platonic Enlightenment* (University Park: Pennsylvania State University Press, 2007).

⁷² *Social Contract*, CW4: 131; OC3: 352.

⁷³ *Second Discourse*, CW3: 42; OC3: 162.

⁷⁴ *Social Contract*, CW4: 132–33; OC3: 352–54; *Political Economy*, CW3: 142; OC3: 244.

he associated with Grotius and Hobbes. The origin of the alleged right to slavery was derived from the rights that individuals have with respect to others in a state of war, but, as the *Second Discourse* illustrated, man's natural state was not one of war, thus this right could not be derived from nature.⁷⁵

When Rousseau claimed that the social order is not given by nature he was simply attacking erroneous accounts of political right based on false inferences drawn from man's natural condition. Society cannot be based on nature in a descriptive sense because the state of nature was asocial; rather, it must be based on conventions. However, this is far from offering a positivistic or conventional account of justice or civil law, as ultimately the social order must be in accordance with the transcendent standard provided by the nature of things:

Whatever is good and in accordance with order is so by the nature of things, independently of human conventions. All justice comes from God; He alone is its source. But if we knew how to receive it from on high, we would need neither government nor laws. There is without doubt a universal justice emanating from reason alone; but to be acknowledged among us, this justice must be reciprocal.⁷⁶

Conventions are required for men to know that justice is mutually recognized and to reciprocally obligate them, yet not just any conventions will do, they have to be in accordance with man's nature. Similarly the general will cannot just be reduced to the will of all; it has to be in accordance with the transcendent standard of justice found in the nature of things.⁷⁷ Examination of the convention in question further supports this reading.

The social contract is Rousseau's answer to the problem of how each individual, "uniting with all, nevertheless obeys only himself and remains as free as before."⁷⁸ Comparison with Burlamaqui here is instructive. Burlamaqui had presupposed natural inequality to justify his account of sovereignty where there is a marked inequality between sovereign and subjects. For Rousseau, however, such inequality was not natural and the social con-

⁷⁵ *Social Contract*, CW4: 135; OC3: 356.

⁷⁶ *Social Contract*, CW4: 152; OC3: 378.

⁷⁷ See David Lay Williams, "Justice and the General Will: Affirming Rousseau's Ancient Orientation," *Journal of the History of Ideas* 66 (2005): 388–400.

⁷⁸ *Social Contract*, CW4: 138; OC3: 360.

tract had to generate a moral and legitimate equality that did not tend against man's nature, thus he claimed that "the equality of right, and the concept of justice it produces, are derived from each man's preference for himself and consequently from the nature of man."⁷⁹ Rousseau formulated a unique conception of sovereignty where no one was subject to the will of a superior or dependent on the will of any other man, which was the only type of dependence that he thought opposed to freedom.⁸⁰ Where the accounts of sovereignty offered by his predecessors had required man to alienate his freedom, for Rousseau, every citizen could, and must, freely will the general will; his inalienable gifts of life and freedom would only then be preserved. Both Burlamaqui and Rousseau had claimed that man's free will was a God-given attribute that could not be subverted by political right, and the issue of man's freedom was a contentious one in the political controversies that engulfed Geneva.⁸¹ Rousseau formulated the social contract in such a way that he could maintain that he was alone—in comparison with Burlamaqui and the other natural law theorists invoked by the Genevan authorities—in preserving man's inalienable freedom in civil society.

Even if it is granted that Rousseau's contract preserved man's life and freedom, the claim that Rousseau's political solution was based on man's nature faces another strong challenge, that is, from the role of denaturing. Even commentators who have appreciated the significance of nature in Rousseau's thought have insisted that the role of the legislator in deceiving and transforming men is a source of "massive contradiction,"⁸² and it is usually accepted that the legislator's purpose is to defy nature.⁸³ Whilst describing the passage from the state of nature to the civil state, Rousseau averred that it "produces a remarkable change in man,"⁸⁴ the implications of which are only fully realized in the chapter on the legislator, in a passage which has occasioned great controversy:

⁷⁹ *Social Contract*, CW4: 149; OC3: 373.

⁸⁰ Jean-Jacques Rousseau, *Emile, or On Education*, trans. Allan Bloom (New York: Basic Books, 1979), 85; OC4: 311.

⁸¹ Burlamaqui occasionally hinted at the Genevan context, see *PPL*, I.III.XII, 283; Rosenblatt, *Rousseau and Geneva*, 138–39.

⁸² Melzer, *The Natural Goodness of Man*, 235–40. See also Laurence D. Cooper, *Rousseau, Nature and the Problem of the Good Life* (University Park: Pennsylvania State University Press, 1999), 107. This is at least implicit in Cooper's study; he appreciates the centrality of nature, but suggests that civic virtue and the life of the citizen, beyond being ordered, are not in accordance with nature.

⁸³ Shklar, *Men and Citizens*, 155.

⁸⁴ *Social Contract*, CW4: 141; OC3: 364.

One who dares to undertake the founding of a people should feel that he is capable of changing human nature, so to speak; of transforming each individual, who by himself is a perfect and solitary whole, into a part of a larger whole from which the individual receives, in a sense, his life and being; of altering man's constitution in order to strengthen it; of substituting a partial and moral existence for the physical and independent existence we have all received from nature.⁸⁵

Rousseau's language of denaturing must be taken seriously, not least because in his contemporaneously published *Emile* he likewise asserted that "[g]ood social institutions are those that best know how to denature man, to take his absolute existence from him in order to give him a relative one and transport the I into the common unity."⁸⁶ If man must be denatured then how can this be in accordance with the very nature of man? Despite the confusion that abounds on this subject, Rousseau was actually very clear about what the process of denaturing entailed. Man is only denatured in a descriptive sense, not a normative one. His essential gifts of nature, his life and freedom, are not compromised by the process, rather they are consolidated. Man's natural love of self and pity are extended to the whole of the body politic⁸⁷; love of self is transformed by being directed towards love of fatherland. Man's denaturing is a process of extending—or in Rousseauian language generalizing—his natural attributes from the individual to the body politic. Man's natural perfectibility allowed for the seemingly paradoxical—that denaturing could be in accordance with nature. What is lost is man's independent and solitary existence, yet this was only ever a descriptive aspect of his condition in the state of nature; it was never constitutive of his God-given nature. Rousseau foresaw the criticisms to which his approach would lead, yet was adamant that he had never abandoned nature.⁸⁸

In *Emile*, Rousseau stated that one "must use a great deal of art to prevent social man from being totally artificial."⁸⁹ What was true for *Emile*'s governor was equally true for the legislator. With the onset of social relations man would inevitably live in artificial conditions as developed society itself was inherently artificial. Man's denaturing comprised of alter-

⁸⁵ *Social Contract*, CW4: 155; OC3: 381.

⁸⁶ *Emile*, 40; OC4: 249.

⁸⁷ *Emile*, 253; OC4: 548.

⁸⁸ *Emile*, 205; OC4: 483.

⁸⁹ *Emile*, 317; OC4: 640.

ing his constitution so that his inalienable gifts of nature could flourish in the body politic. To do so man could no longer think of himself as an isolated individual; he would only recover his harmonious existence if he learned to recognize himself as an integral part of the larger moral person that the body politic constituted.

For Rousseau, nature remained a normative ideal, much as it had done for Burlamaqui. Civil society must be based on the nature of man and justice derived from the nature of things. Contrary to prevailing interpretations, Rousseau did attempt to re-found society on man's nature and in so doing he sought to preserve man's God-given inalienable "Gifts of Nature," while providing an account of the social contract which although based on conventions was ultimately founded on a transcendent standard of justice in accordance with the nature of things. As Rousseau stressed, when defending both the *Social Contract* and *Emile*, his writings were nothing less than an attempt to assert the rights of nature in the social order, which he saw vanishing all around him:

I found in our social order which—at every point contrary to nature, which nothing destroys—tyrannizes over nature constantly and constantly makes nature demand its rights.⁹⁰

III.

In his response to the debate between Leibniz and Barbeyrac, Burlamaqui broke with his predecessors in the natural law tradition and sided with Leibniz. Rousseau also shared greater affinities with Leibniz than with Hobbes, Pufendorf, and Barbeyrac, as is well illustrated by his famous letter to Voltaire following the Lisbon earthquake of 1755. The exchange between Voltaire and Rousseau—which may be viewed as a microcosm of the much lengthier one between Bayle and Leibniz at the beginning of the century—centered on the doctrine of optimism. Yet in his defense and revision of optimism Rousseau argued, following Leibniz, that nature is "subject to the precision of quantities and of forms."⁹¹

Rousseau perceived there to be harmony and order in the world, and even if man is unable to recognize this, everything is regular in the eyes of nature.⁹² One of the most important sources for Rousseau's ideas about the

⁹⁰ *Letter to Beaumont*, CW9: 52; OC4: 966.

⁹¹ *Letter to Voltaire*, CW3: 112; OC4: 1064–65.

⁹² *Letter to Voltaire*, CW3, 113; OC4: 1065.

order and general laws that govern nature was Nicolas Malebranche,⁹³ who had defined nature in terms that anticipate Rousseau's understanding of the concept closely:

what is called nature is nothing other than the general laws which God has established to construct or to preserve his work by very simple means, by an action which is uniform, constant, perfectly worthy of an infinite wisdom and of a universal cause.⁹⁴

Malebranche was also a major influence on Leibniz, and both Leibniz and Rousseau followed Malebranche in claiming that justice and nature were governed by uniform, general laws. Justice, for all three, was transcendent and to this extent they all reveal the influence of neo-Platonism in early modern Europe.⁹⁵ This line of thought is often deemed to have been quite distinct from the development of modern natural law, which was supposedly characterized, in large part, by its adherence to voluntarism.⁹⁶ Insisting that justice originates from the nature of things, rather than the will of a superior, would, on such a reading, be enough to distance a thinker from the natural law tradition. This is exemplified by the case of Montesquieu, who famously opened *The Spirit of the Laws* with the assertion that laws "are the necessary relations deriving from the nature of things."⁹⁷ This more than anything else, so it is claimed, distinguished him from the natural law theorists and Hobbes who would have thought it impossible to base the principles of positive law on the nature of things.⁹⁸

The account of natural right proposed by Burlamaqui suggests that this characterization of modern natural law needs to be revised. Even if it is problematic to infer that Pufendorf and Barbeyrac were adherents of voluntarism, they were both wary of making the sort of metaphysical abstrac-

⁹³ See Patrick Riley, *The General Will Before Rousseau: The Transformation of the Divine into the Civic* (Princeton, N.J.: Princeton University Press, 1986), 181–250.

⁹⁴ Nicolas Malebranche, *Treatise on Nature and Grace*, trans. Patrick Riley (Oxford: Clarendon Press, 1992), "First Illustration," 196.

⁹⁵ Williams, *Rousseau's Platonic Enlightenment*, 29–41.

⁹⁶ See in particular Schneewind, *The Invention of Autonomy*, 17–166.

⁹⁷ Charles de Secondat Montesquieu, *The Spirit of the Laws*, ed. and trans. Anne M. Cohler, Basia C. Miller and Harold S. Stone (Cambridge: Cambridge University Press, 1989), 3.

⁹⁸ Cecil P. Courtney, "Montesquieu and Natural Law," in *Montesquieu's Science of Politics: Essays on The Spirit of Laws*, ed. David W. Carrithers, Michael A. Mosher, and Paul A. Rahe (Lanham, Md.: Rowman and Littlefield, 2001), 41–68; 46; Glaziou, *Hobbes en France*, 81–82.

tions that are to be found in Malebranche and Leibniz. Both Burlamaqui and Rousseau, however, insisted on justice as a transcendent standard in accordance with the nature of things. Burlamaqui, in fact, was not the first to insist against Barbeyrac that justice is derived from the nature of things, a point stressed by Vattel, who averred that for the foundations of natural law “we would not wish to look further than in *the essence and nature of man and things in general*.”⁹⁹

Barbeyrac’s response to Leibniz had a profound effect upon the way in which these ideas came to be understood as the natural law tradition emerged in France and particularly in Geneva. Ironically, contrary to Barbeyrac’s intentions, it resulted in the infusion of Malebranchian order and Leibnizian eternal truths into modern natural law. The emphasis that Burlamaqui (and his student Vattel) placed on what is good and just being so by the nature of things represents a striking change in direction for natural law. While the philosophies of Malebranche and Leibniz were often repudiated by Barbeyrac and the *philosophes* of the French Enlightenment, in Geneva they appear to have held greater sway, as evinced by the writings of Burlamaqui and Rousseau.

Burlamaqui reinvested his conception of man’s nature with the idea of God-given noble faculties that had been markedly absent from his predecessors’ thought. Not only did he maintain that justice had to be in accordance with the nature of things, he also presented nature as a normative ideal upon which society must be founded. Rousseau signaled his approval of Burlamaqui’s method, even if he refuted most of his inferences. Both Burlamaqui and Rousseau sought to re-found civil society on man’s God-given nature; the most original aspect of Burlamaqui’s attempt was his method, that of Rousseau his conclusions.

The interpretation of Rousseau that emerges from comparison with Burlamaqui is one that supports the reading of Rousseauian justice as a transcendent standard, however, it emphasizes its transmission to Rousseau via Leibniz and more surprisingly the modern natural law tradition—in the very specific form it took in Geneva—that has been much neglected.¹⁰⁰ As such it speaks to the perennially confounding problem of Rousseau’s relationship to natural law, and suggests that to make inroads into this it is well to consider Rousseau’s debt to the other Jean-Jacques of Geneva.

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⁹⁹ Vattel, *Essay on the Foundation of Natural Law*, 748.

¹⁰⁰ For instance Burlamaqui is not mentioned once in the most substantial treatment of transcendent standards in Rousseau provided by Williams, *Rousseau’s Platonic Enlightenment*.

*Men with Muskets, Women with Lyres:
Nationality, Citizenship, and Gender
in the Writings of Germaine de Staël*

Susanne Hillman

On 23 May 1812 Germaine de Staël (1766–1817), Europe's best-known enemy of Napoleon Bonaparte, set out from her estate on Lake Geneva to escape to England. In her reminiscences, she reflected on the pivotal event as follows:

[A]fter ten years of ever-increasing persecutions [. . .] I was obliged to leave two homelands as a fugitive, Switzerland and France, by order of a man less French than I. For I was born on the banks of the Seine, where his only claim to citizenship is his tyranny. He saw the light of day on the island of Corsica, practically within Africa's savage sway. His father did not, like mine, devote his fortune and his sleepless nights to defending France from bankruptcy and famine; the air of this beautiful country is not his native air; how can he understand the pain of being exiled from it, when he considers this fertile land only as the instrument of his victories.

I wish to acknowledge the many helpful comments and suggestions of Elizabeth Colwill, Pamela Radcliff, Ryan Zroka, and the anonymous referees that aided me in the preparation of this article. It is a particular pleasure to thank Cynthia Truant for first suggesting that I venture onto the exciting territory of Staëlien studies. Her inspiration, expertise, and friendship have made all the difference.

Where is his *patrie*? It is any country that accepts his domination. His fellow-citizens? They are whatever slaves obey his orders.¹

In this passage, de Staël deliberately links nationality and citizenship. In her view, citizenship status was acquired simply by being born on French soil. Her family's tireless labors on behalf of the nation added another irrefutable proof of Frenchness. In addition, growing up in France and breathing the country's invigorating air had created an emotional attachment that a person raised elsewhere simply could not fathom. We thus have a triad of birth/service/sentiment that connects the deserving individual to his or her nation (in this case *la grande nation*).

In this essay I explore de Staël's understanding of the twin concepts of nationality and citizenship through the lens of gender. Nationality and citizenship were of perennial concern to her thought, partly because of the turbulent times she lived in, partly because of her personal experience in exile. Influenced by history and literature, she early on admired the gallant men with muskets who heroically sacrificed their lives for the glory of the nation. But it was the exceptional women with lyres who were destined to act as the nation's unifying agents by recreating the gallants' deeds in writing. By imagining the nation these women fulfilled the supreme task of citizenship. In what follows I will argue that de Staël conceived of the ideal citizen as a woman writer or artist who served her nation by inspiring its members with enthusiasm and virtue.² In elaborating her view of the superior woman as *citoyenne* and national muse she made an important contribution to the debate on the nation and the citizen.

The only daughter of Louis XVI's finance minister Jacques Necker and the salonnière Suzanne Curchod-Necker, of Genevan and Vaudois citizenship respectively, de Staël gained fame and notoriety through her brilliant conversational talents, political intrigues, and unconventional relationships with famous men. Though she considered herself a "true Frenchwoman" (*véritable française*),³ she was a citizen of Geneva and a Swedish subject by marriage, at least until 1803 when she took advantage of the *Code Civil*

¹ Madame De Staël, *Ten Years of Exile*, trans. Doris Beik (New York: Saturday Review Press, 1972), 138–39. I have used English translations of de Staël's published works wherever good ones are available. Otherwise, translations from the original French are mine.

² On de Staël's concept of enthusiasm see Kari Lokke, "L'Enthousiasme, l'Éternité, et les 'Armes du Temps' chez Madame de Staël," *Cahiers Staeliens* 57 (2006): 63–76.

³ De Staël to Villers, 19 Nov. 1803 in Madame de Staël, *Correspondence Générale*, ed. Béatrice W. Jasinski (Paris: Hachette, 1982), 5, 1: 118.

and officially claimed French citizenship.⁴ Considering this multiplicity of conflicting loyalties, it is not surprising that her major writings reveal a sustained preoccupation with these issues.

Despite their undeniable significance for early nineteenth-century European intellectual history, historians have so far devoted scant attention to de Staël's writings. In fact, in the US, Staëlien studies have largely been dominated by literary criticism and theory.⁵ This has had the effect of prioritizing her novels over her non-fiction, downplaying the historical context of her oeuvre and, most grievously, ignoring de Staël's historical contribution to socio-political thought.⁶ As a result of the complex ways in which her personal experience informed her writing, her oeuvre is best examined as a unified, though certainly inconsistent, whole. Her writings were rarely "products of intense deliberation, but rather reflections" of a particular state of mind, as Madelyn Gutwirth notes; it thus makes sense to treat them as a cohesive "repository of her thought."⁷ Only in viewing her oeuvre as it evolved over time can we do justice to the author's contribution to one of the most exciting and controversial discourses of her day: the discourse on citizenship in the emerging nation and its relation to gender.

Although there is no scholarly consensus on the actual appearance of "the nation," the French Revolution and Napoleon's quest for European hegemony certainly contributed to the awakening of national consciousness across the continent. As Peter Sahlin remarks, France on the eve of revolu-

⁴ De Staël to Necker, 22 Nov. 1803 in de Staël, *Correspondence Générale*, 5, 1: 118. For de Staël's nationality and citizenship see Pierre Kohler, *Madame de Staël et la Suisse: Étude biographique et littéraire* (Lausanne, Paris: Librairie Payot & Compagnie, 1916), 680–81. On the convoluted nature of de Staël's nationality also see Renée Weingarten, *Germaine de Staël and Benjamin Constant: A Dual Biography* (New Haven: Yale University Press, 2008), 83.

⁵ Simone Balayé, *Madame de Staël: Lumières et Liberté* (Paris: Editions Klincksieck, 1979); Angelica Goodden, *Madame de Staël: The Dangerous Exile* (Oxford and New York: Oxford University Press, 2008); Madelyn Gutwirth, *Madame de Staël, Novelist: The Emergence of the Artist as Woman* (Urbana, Chicago and London: University of Illinois Press, 1978); and Charlotte Hogsett, *The Literary Existence of Germaine de Staël* (Carbondale and Edwardsville: Southern Illinois University Press, 1987). On de Staël's life see, e.g., Ghislain de Diesbach, *Madame de Staël* (Paris: Librairie Académique Perrin, 1983) and J. Christopher Herold, *Mistress to an Age: A Life of Madame de Staël* (New York: Time-Life Books, 1958).

⁶ See Sergine Dixon, *Germaine de Staël, Daughter of the Enlightenment: The Writer and Her Turbulent Era* (New York: Humanity Books, 2007); and Michel Winock, *Madame de Staël* (Paris: Fayard, 2010).

⁷ Gutwirth, *Madame de Staël, Novelist*, 50. For the case of treating de Staël's oeuvre as a "repository of her thought" see Albertine Necker de Saussure, *Notice sur le caractère et les écrits de Mme de Staël* in *Oeuvres Inédites* (Paris: Treuttel et Würtz, 1820), 1: xlvj.

tion was above all an “*imagined* national space.”⁸ There was neither linguistic uniformity nor a sense of allegiance to a specifically *French* polity. Indeed, Normans, Bretons, Alsatians, and others were wont to identify themselves as “nations” on a par with France. How far the situation differed for urban revolutionaries of both sexes continues to be a matter of lively debate.⁹

Considering the momentous political and social transformations of the revolutionary and Napoleonic period, de Staël’s preoccupation with issues of nationality and citizenship should not come as a surprise.¹⁰ The overthrow of Louis XVI and the displacement of “power and national identity” from the ruler to the sovereign *people* was a crucial step in the establishment of the French nation-state.¹¹ In its various phases the revolution extended legal equality to white males, “revived the classical conception of active political citizenship,” and created boundaries between individuals of different nationalities.¹² Generally limited to a set of political privileges bestowed on some and withheld from others, the conventional concept of citizenship underestimates the manifold “dimensions of control and negotiations which take place in different areas of social life,” in Nira Yuval-Davis’s words.¹³ Put differently, there is power *outside* the bounds of citizenship as well as powerlessness within—without a necessary causal link between the two.

French intellectuals of the period undoubtedly had a fairly precise notion of what a citizen was or ought to be. A *citoyen* was the enlightened man, the property holder, and, increasingly, the patriot.¹⁴ As such, he was “naturally French.”¹⁵ A *citoyenne*, on the other hand, could be a “part-time

⁸ Peter Sahlin, “Natural Frontiers Revisited: France’s Boundaries since the Seventeenth Century,” *American Historical Review* 95 (1990): 1425.

⁹ See, e.g., Dominique Godineau, “Femmes en citoyenneté: Pratiques et politique,” *Annales Historiques de la Révolution Française* 2 (1995): 198.

¹⁰ David A. Bell, *The Cult of the Nation in France: Inventing Nationalism, 1680–1800* (Cambridge, Mass.: Harvard University Press, 2001), 20.

¹¹ Suzanne Guerlac, “Writing the Nation (Mme de Staël),” *French Forum* 30 (2005): 43.

¹² Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, Mass.: Harvard University Press, 1992), 49.

¹³ On the conventional understanding of citizenship see, e.g., Alfonso Alfonsi, “Citizenship and National Identity: The Emerging Stirrings in Western Europe,” in *Citizenship and National Identity: From Colonialism to Globalism*, ed. T.K. Oommen (New Delhi, Thousand Oaks, London: Sage Publications, 1997), 53 and Nira Yuval-Davis, “Women, Citizenship and Difference,” *Feminist Review* 57 (1997): 5–6.

¹⁴ Pierre Rétat, “Citoyen-Sujet, Civisme,” in *Handbuch politisch-sozialer Grundbegriffe in Frankreich, 1680–1820*, eds. Rolf Reichhardt and Eberhard Schmidt (Munich: R. Oldenbourg Verlag, 1986), 9: 84–88.

¹⁵ For the problem of foreigners and naturalized citizens see Peter Sahlin, *Unnaturally*

patriot” at best, as William Sewell notes, since women were biologically handicapped as wives and mothers.¹⁶ Noting the conspicuous equation of citizenship with patriotism, it is difficult to avoid the conclusion that both were meant to be the province of men. As we shall see, de Staël was among those who challenged this reductionist and frankly misogynist understanding of women’s function as citizens of their nation. The creation of modern citizenship is thus inconceivable without the concurrent establishment of the French nation-state.

No discussion on the appearance of the nation can dispense with the work of Benedict Anderson, whose characterization of the nation as a “limited imagined community” has had an indelible impact on historiography.¹⁷ If we accept Anderson’s definition, it follows that nationality, i.e. the status of belonging to a particular nation, is equally a product of the imagination. Whether French revolutionaries would have accepted this definition is debatable. In his pamphlet *Qu’est-ce que le Tiers État?* (1789) the revolutionary Abbé Sieyès equated the nation with the Third Estate, since the latter contained “everything needful to constitute a complete nation.” Unlike Anderson, Sieyès understood the nation as something primordial and thus essentially timeless. The nation was not only “prior to everything,” but actually “the source of everything.”¹⁸ De Staël similarly insisted that the nation “*always* exists; it cannot die.”¹⁹ But this does not mean that she thought of it primarily in terms of the Third Estate, though she occasionally advocated the Republican ideal of civic equality. Over time she came to define the nation as a specific cultural community created by print and conversation. As such, it depended on the spirit and the imagination of individuals endowed with talent or “genius.” It is therefore accurate to say that de Staël understood citizenship, at least in the case of women, as an essentially creative process, an act of the imagination that ultimately aimed at the betterment of all society.

French: Foreign Citizens in the Old Regime and After (Ithaca, N.Y.: Cornell University Press, 2004).

¹⁶ William Sewell, “Le citoyen/la citoyenne: Activity, Passivity, and the Revolutionary Concept of Citizenship,” in *The French Revolution and the Creation of Modern Political Culture*, ed. Colin Lucas (Oxford: Pergamon Press, 1987), 2: 116.

¹⁷ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (London: Verso, 1991), 15–16.

¹⁸ Emmanuel Sieyès quoted in *The Old Regime and the French Revolution*, ed. Keith Michael Baker (Chicago: University of Chicago Press, 1987), 156, 171.

¹⁹ Madame de Staël, *Considerations on the Principle Events of the French Revolution*, eds. Duke de Broglie and Baron de Staël, trans. from the French (New York: James Eastburn and Co., 1818), 3: 117.

Does this make her a proto-feminist? In stark contrast to writers like the Marquis de Condorcet and Olympe de Gouges who demanded political equality for women, or to the revolutionary women of Paris who claimed citizenship by practicing it, de Staël was disappointingly timid when it came to these issues—unless they happened to concern her.²⁰ As will become clear, de Staël was far from consistent in her discussion of women. Though occasionally purporting to speak on behalf of all women, for the most part her reflections are limited to the few exceptional women who, in her view, genuinely affected society. Scholars like Madelyn Gutwirth and Charlotte Hogsett have shown how difficult it was for de Staël to reconcile her “universal” voice with her woman’s voice.²¹ To make her writings palatable to male readers, she tended to uphold clichés regarding women’s vocation, ritually acknowledged the general superiority of men, and paid obeisance to specific individuals like Rousseau or her adored father. What Mary Seidman Trouille says about the multifaceted nature of Rousseau’s thinking and writing on women applies to de Staël as well: “To fully grasp the richness and complexity of his views on women, one must resist the desire to systematize what is not systematic, to simplify what is not simple; more importantly, one must resist the urge to resolve or efface tensions and contradictions that are deeply rooted in, even constitutive of, Rousseau’s thought and the thought of his period.”²²

The contradictory nature of much of her writing on gender not only illustrates the shifting nature of the concepts she was struggling with but also reflects the turmoil of the times in which they emerged. It hardly needs to be stressed that like all of us, Germaine de Staël was the product of a particular historical environment and intellectual climate. In stark contrast to the majority, she felt called upon to challenge the prejudices of her day,

²⁰ For the link between revolutionary practices and citizenship see Darline Gay Levy and Harriet B. Applewhite, “A Political Revolution for Women? The Case of Paris,” in *Becoming Visible: Women in European History*, third ed., eds. Renate Bridenthal, Susan Mosher Stuard, and Merry E. Wiesner (Boston and New York: Houghton Mifflin, 1998), 265–92. For Condorcet and de Gouges see *Women, the Family, and Freedom: The Debate in Documents*, eds. Susan Groag Bell and Karen M. Offen (Stanford: Stanford University Press, 1983), 1: 99–103 and 1: 104–10.

²¹ Madelyn Gutwirth, “Circé et Corinne: Germaine de Staël face à la calomnie,” *Cahiers Staëliens* 57 (2006): 61 and Hogsett, *The Literary Existence of Germaine de Staël*, throughout.

²² Mary Seidman Trouille, *Sexual Politics in the Enlightenment: Women Writers Read Rousseau* (Albany: State University of New York Press, 1997), 14. On de Staël’s contradictory thought on women see Geneviève Fraisse, *Reason’s Muse: Sexual Difference and the Birth of Democracy*, trans. Jane Marie Todd (Chicago: University of Chicago Press, 1994), chapter 4.

and occasionally she transcended them. It would be uncharitable indeed to expect consistency where none was intended. I would like to suggest that it is precisely the fluidity of her thought and the lack of conceptual clarity that highlight the unstable nature of the ideas she grappled with. As such, they provide a salutary corrective to a teleological reading of history that condemns the Revolution as the beginning of women's exclusion from liberal democratic politics.

I. LITERATURE AND WOMEN: FRANCE IN TRANSITION

At age twenty-two Germaine Necker published her first work of literary criticism, the much lauded *Lettres sur les écrits et le caractère de J.-J. Rousseau* (1788)—astounding proof of her precocious talent and her eagerness to tackle subjects generally reserved for men. Over the next decade de Staël would write a number of texts including newspaper articles, political pamphlets, and pieces of fiction. Her busy literary activity culminated in a major treatise on literature in 1800, sometimes hailed as one of the founding texts in comparative literary criticism. *De la littérature* contains her first extended elaboration of what would become some of her key ideas such as the perfectibility of the human spirit, the power of the writer and the literary imagination, and the precarious situation of the exceptional woman.

Let us begin with the first, the Enlightenment belief in the progress of the human spirit. Why would such a belief be important for this inquiry? De Staël expressed it poetically: “If you turn your eyes towards heaven, your thoughts become more noble: it is in elevating yourself that you find the air more pure, the light more brilliant.”²³ To imbibe this salutary atmosphere was the pleasure of the reader; to inspire by imagining its existence the task of the writer. By drawing attention to such lofty concepts as liberty, morality, and virtue, the writer created a model worthy of imitation. In short, the perfection of the human spirit depended on the advancement of literature, including fiction.

In an early essay on fiction de Staël had written that “[m]an ha[d] no faculty more precious than his imagination.”²⁴ Superior products of the imagination such as Samuel Richardson’s novel *Clarissa* or Rousseau’s *La Nouvelle Héloïse* dissolved temporal, class, and psychological distinctions

²³ De Staël, *De la littérature*, ed. Gérard Gengembre and Jean Goldzink (1800) (Paris: Flammarion, 1991), 393–94.

²⁴ De Staël, *Essai sur les fictions* in *Oeuvres Inédites*, 2: 176.

by creating a community of readers united by sensibility.²⁵ Equally important, such works could be conducive to national attachment. De Staël, for one, was fervently convinced of the writer's patriotic duty to his or her people: "Only eloquence, the love of letters and the arts, [and] philosophy can turn a territory into a *patrie* by imbuing the nation that inhabits it with similar tastes, habits and sentiments."²⁶ As we have seen, like many of her fellow writers she considered patriotism to some extent as identical with citizenship. To be sure, never had such patriotic literary efforts been more important than in the chaotic post-revolutionary years.

After France's descent into the anarchy of the Terror, nothing was more urgent than to rekindle the spirit of Enlightenment. Whereas courage may have sufficed to battle the royalists, something more was needed to found "the nation in the Republic," de Staël posited. Only through the advancement of enlightened ideas, so tragically interrupted by the Jacobin and counter-revolutionary blood-letting, could a "new society" be created in "an old nation."²⁷ Unfortunately, she lamented in *De la littérature*, the revolution had virtually extinguished women's influence on society. Under monarchies women had played a substantial though indirect role in politics, but this had changed. Since the revolution women had been reduced to the "most absurd mediocrity;" they were being addressed in a "miserable language without either delicacy or *esprit*," and they had entirely lost any motive for "developing their reason." Though frivolous amusements were still tolerated, every attempt at serious study was decried as "pedantry."²⁸ Deprived of *lumières* and hence rationality, de Staël warned, women had actually become *more* dangerous, not less. Why should this be so? It was because uneducated women easily escaped their duties and thus dragged their nation down rather than lifting it up. Women's loss of virtue and national degeneration thus went hand in hand. To ensure the durable foundation of "all social and political relations," she asserted, it was essential "to enlighten, to instruct, to perfect women just like men, nations just like individuals."²⁹ Lest we think her insistence on the power of literature exag-

²⁵ Lawrence Lipking, "Aristotle's Sister: A Poetics of Abandonment," *Critical Inquiry* 10 (1983): 74.

²⁶ De Staël, *De la littérature*, 82.

²⁷ Madame de Staël, *Des circonstances actuelles qui peuvent terminer la révolution et des principes qui doivent fonder la république en France*, ed. Lucia Omacini (Geneva and Paris: Librairie Droz, 1979), 96. Also see p. 274. Note her inconsistent use of terminology.

²⁸ De Staël, *De la littérature*, 335.

²⁹ De Staël, *De la littérature*, 337–38.

gerated, we need to remember that this opinion was shared by many of her contemporaries, including her future nemesis Napoleon.³⁰

Ostensibly favoring the enlightenment of *all* women, what really concerned de Staël was the woman of genius, i.e. herself. Thanks to her superior talent, such a woman was able to imagine the national community and to exert a positive influence on its habits and mores. In constructing the celebrated character of Corinne, the national muse par excellence, de Staël envisioned a version of creative citizenship that was as memorable as it was problematic.

II. ITALY: THE NATION AS WOMAN

When Germaine de Staël set out on her first Italian trip late in 1804, the peninsula was still reeling from Napoleon's conquering expeditions and a drastic reorganization of the political map. De Staël viewed the country she traversed with a critical eye. Delighted by both the Southern climate and the enthusiastic reception she met with, she nonetheless found reason to denounce this political anomaly called "Italy." "[Italy] is not a nation," she declared to a French acquaintance, "because there is neither togetherness, nor truth, nor strength in its existence."³¹ Italian men lacked "the dignity and pride characterizing free, military nations" and therefore only rarely aroused women's "enthusiasm and love."³² Centuries of oppression had resulted in intellectual apathy and resignation: "Italians have lost all taste for truth, and, frequently, the very possibility of speaking it. It follows that not daring to go near ideas, people have grown accustomed to the pleasure of words." In short, Italian writers had gradually lost their voice and influence on the well-being of the "nation."³³ Paradoxically, it was precisely in such an inauspicious environment that a female genius like Corinne could flourish.³⁴

³⁰ See, e.g., J. Christopher Herold, *The Mind of Napoleon: A Selection from His Written and Spoken Words Edited and Translated by Christopher Herold* (New York: Columbia University Press, 1961), 268.

³¹ De Staël to Hochet, 23 Jan. 1805 in de Staël, *Correspondence Générale*, 5, 2: 481.

³² Madame de Staël, *Corinne, Or Italy*, trans. Avriel H. Goldberger (New Brunswick and London: Rutgers University Press, 1987), 104. Also see, *The Novel's Seductions: Staël's Corinne in Critical Inquiry*, ed. Karyna Szmurlo (Lewisburg, Penn.: Bucknell University Press, 1999).

³³ De Staël, *Corinne*, 113.

³⁴ For the genesis of the novel see *Les carnets de voyage de Madame de Staël: Contribution à la genèse de ses oeuvres*, ed. Simone Balayé (Geneva: Librairie Droz, 1971).

The heroine of *Corinne, ou l'Italie* strikingly fits her creator's view of the inspiring power of the talented individual and clearly expresses the link between nation and imagination—with one minor difference: Corinne is not a writer but an *improvisatrice* probably modeled on the celebrated improviser Corilla Olimpica (1727–1800), the only Italian woman writer ever to be crowned poet laureate.³⁵ Corinne's declamations in front of an enraptured audience invoke the country's former grandeur. Glorious as these ruminations are, they also contain an implicit reproach of the criticism habitually raised: "Throughout the ages, making this beautiful country a prey for their ambition, foreigners have conquered and torn her to shreds, only to reproach her bitterly for the faults of nations vanquished and torn to shreds!"³⁶ Against the melancholy background of a majestic past and a bleak present, Corinne's eloquence inspires her listeners with a vision of a more hopeful future when all Italians would once more be unified. Speaking for the (imagined) nation rather than for a prince, Corinne brings community into being through vision, not violence. "For de Staël," Bonnie Smith correctly observes, "the declamation of history built community and understanding based not on Napoleonic forces but on a visualized reciprocity and politeness."³⁷ The nation, in other words, is being created in the very act of being imagined.

Writers were not the only ones to act upon the "nation," however. For de Staël there existed an equally close connection between a country's political institutions and its inhabitants' character and way of life, as the following passage reveals:

It is so true that governments form the character of nations that remarkable differences in manners are to be seen in the different states that make up this same Italy. The Piedmontese, who used to form a small national group, are more military-minded than the rest of Italy; Florentines, who have known freedom or liberal princes, are enlightened and gentle; the Venetians and Genoese prove capable of political thought because of their republican aristocracy.³⁸

³⁵ On Corilla Olimpica and her impact on *Corinne* see the excellent chapter by Paola Giuli, "Tracing a Sisterhood; Corilla Olimpica as Corinne's Unacknowledged Alter Ego," in *The Novel's Seduction*, 165–81.

³⁶ De Staël, *Corinne*, 101.

³⁷ Bonnie G. Smith, "History and Genius: The Narcotic, Erotic, and Baroque Life of Germaine de Staël," *French Historical Studies* 19 (1996): 1068–69.

³⁸ De Staël, *Corinne*, 101.

And the list continues in a similar vein. There is much in this section that smacks of hyperbole. What stands out nonetheless is the inseparable connection between government and society. Indeed, de Staël perceived public and private, or politics and the individual as a dialectical interplay of forces which, if properly motivated and balanced, would bring about the highest stage of the public good, a state marked by justice and virtue. In Corinne's eyes, the polity that had come closest to the realization of this vision was the polis of the ancient Greeks: "As they conceived it, the social order was no arid combination of calculation and power, but a happy set of institutions that stimulate the faculties, develop the soul, and give man the goal of perfecting himself and his fellow men."³⁹ This reference to ancient Greece is of great interest for our analysis since the Greek polis evidently did not extend the benefits and duties of political citizenship to women.

This brings us to the question of gender. In her first novel *Delphine* (1802) de Staël had insisted on society's need for high-principled, refined women who, by virtue of their mere presence, challenged and inspired men and raised the general level of sophistication and manners. At the same time, she denied them active participation in political affairs. "[I]t is not appropriate for a woman to take part in political debate," remarks Delphine, the novel's heroine and one of de Staël's alter egos; "her destiny shelters her from all the dangers it entails, and her acts can never lend importance or dignity to her words."⁴⁰ What are we to make of this puzzling statement that seems to contradict the author's own vigorous participation in political cabals and intrigues? It is evident that on one hand, de Staël considered herself a woman apart from the rest, a woman, moreover, whose duty it was to lend her prodigious vitality and resources to the cause of liberty. On the other hand, we should not conclude that such clandestine political activity constituted her highest goal in life, even if it brought her into contact with most political luminaries of her age. In her view, a woman's life could not be complete, her destiny never truly fulfilled unless she found happiness in marriage.

Corinne's tragic destiny makes this clear. Even at the peak of her fame, upon being crowned at the Roman Capitol, "Corinne's eyes pleaded for the protection of a friend, a protection no woman can do without, however superior she may be."⁴¹ This was unmistakably de Staël's personal opinion.

³⁹ De Staël, *Corinne*, 205.

⁴⁰ Madame de Staël, *Delphine*, trans. Avriel H. Goldberger (DeKalb: Northern Illinois University, 1995), 60.

⁴¹ De Staël, *Corinne*, 22.

Sadly, Corinne was soon to realize that for a woman, talent and love were irreconcilable. Which of the two should one choose? Though a life without an enduring love was inconceivable, it does not necessarily follow that forsaking one's talent would automatically guarantee bliss. "For the sake of her happiness," the narrator informs us, "Corinne was wrong to cast her lot with a man who could only thwart her natural self, and repress rather than stimulate her gifts."⁴² The indictment of men's inability to deal with a superior woman cannot be doubted.

In sharp contrast to Corinne who consistently pleads for love *and* glory, Lord Nelvil, her beloved, is the mouthpiece of an unabashed conservatism. Deploring the absence of the traditional gender arrangement of male protector and female protected, Nelvil maintained that "[i]n Italy you would almost think that women were the sultan and men the harem"—clearly no alluring prospect for the puritanically reared Scotsman who contemplated marrying the half-Italian Corinne.⁴³ To some extent de Staël shared these views. Consider the following observations, jotted in her traveling diary: "The Italians have the character of woman. . . . The protector and the protected does not [*sic*] exist. . . . The Italians have the gracefulness of women, but this is more appropriate for women."⁴⁴ While de Staël limits herself to cautious criticism here, her sympathies for masculine England are colored by strong ambivalence. Usually an enthusiastic imitator of her father's life-long Anglophilia, in *Corinne* her stance towards the nation whose representatives treat her heroine so shabbily is much more equivocal. When Corinne deplores the dreariness of English provincial society, one cannot help but hear de Staël herself lament the soul-destroying effect of endless rounds of afternoon-tea and insipid talk. Compared to this unvarying dullness, even an Italian convent seemed positively "full of life."⁴⁵ Unfortunately for Corinne, the endless rounds of tea were precisely the sort of domestic idyll Nelvil desired for his future wife.

Nelvil's limited vision was partly the result of his father's unabashedly patriarchal views. "A man born in our fortunate country must be English first and foremost," the elder Nelvil maintained; "he must fulfill his duties as a citizen since he has the good fortune to be a citizen. And in countries whose political institutions give men honorable occasions to act and to prove themselves, women should remain in the background." If he were to

⁴² De Staël, *Corinne*, 303.

⁴³ De Staël, *Corinne*, 99.

⁴⁴ Balayé, *Les carnets de voyage*, 238. On the interrelationship of gender identities and national differences see Guerlac, "Writing the Nation," 44 f.

⁴⁵ De Staël, *Corinne*, 256.

marry Corinne, to please his wife, Nelvil “would try to introduce foreign ways into his household. Soon he would lose that sense of nationality, those prejudices, if you will, that bind us together and make our nation one body, a free but indissoluble association that cannot perish until the last one of us is dead.” Even worse, seeing his wife’s unhappiness (which the father anticipates as a matter of course), Nelvil junior would feel compelled to abandon his native land and move to Italy. Not only would Corinne thereby rob her husband “of the honor of serving his country,” she would also rob him of his masculinity: “What a fate for a man from our mountains to drag out an idle life in the lap of Italy’s pleasures? A Scotsman playing his wife’s *cicisbeo*, if he is not dancing attendance on some other man’s wife!”⁴⁶

Nelvil senior’s assessment of the danger attending his son’s union with Corinne can be summed up in one over-arching fear: the talented woman emasculates the citizen-patriot. By distracting her husband from his duties, the wife deprives him of his natural destiny, undermines his patriotism, and ultimately corrodes his national attachment. What can we conclude from this damning judgment? Namely this: for the elder Nelvil exceptional women have no place in the social order, since they neither recognize the preeminence of the public man, nor do they content themselves with their proper place in the domestic sphere. By subverting the “natural” spheres of public and private, such women pose a threat of the greatest magnitude to the nation and its citizens. Interestingly, de Staël believed just the opposite. Her ideal woman inspired attachment to the nation by conjuring its glories in writing. In so doing she clearly fulfilled the duties of citizenship. In this sense *Corinne* is a strong condemnation of a society that forces a woman of genius to choose between the demands of her intellect and those of her heart.

The sober ending of *Corinne* supports this view. Abandoned by the fickle Nelvil and left with nothing but the memory of her once dazzling fame, the heartbroken heroine lies down and dies.⁴⁷ Her triumphs cannot satisfy, let alone mend, her broken heart. But this is not the whole story. In a fascinating twist on the theme of the wronged woman, Corinne expires only after having revenged herself in the most imaginative way possible. Asking permission to instruct Nelvil’s daughter in the arts and music, she hopes to turn the girl into a future Corinne, thereby not only delivering a

⁴⁶ De Staël, *Corinne*, 329–30.

⁴⁷ On the primacy of “couplehood” for de Staël see Madelyn Gutwirth, “Woman as Mediatrix: From Jean-Jacques Rousseau to Germaine de Staël,” in *Woman as Mediatrix: Essays on Nineteenth-Century European Women Writers*, ed. Avriel H. Goldberger (New York: Greenwood Press, 1987), 21–22.

crushing blow to Nelvil's rigid gender ideology but also forcing him to remember the one he so shamelessly abandoned. Clearly, this is not the gesture of a submissive woman who powerlessly succumbs to her destiny. Italy has endowed her with the ability to develop and flaunt her talents for the benefit of the community of citizens. Conscious of her proud heritage, she passes it on to a future muse.

III. GERMANY: A NATION WITHOUT MUSES

When *De l'Allemagne* was first published in London in early 1813, it had already attained the status of a *cause célèbre*. Condemned as "un-French" when the first volume went to press in 1810, Napoleon ordered the already printed 10,000 copies seized and pulped. "It seemed to me that the air of this country did not agree with you," General Savary informed the devastated author, "and we have not yet reached the point where we have to model ourselves on the nations you admire."⁴⁸ As with *Corinne*, the undiscerning reader may find little in this unusual book that would offend a ruler, no matter how punctilious. What was it then that aroused Napoleon's ire? To answer this question we have to ascertain what de Staël hoped to achieve in *De l'Allemagne*.

In writing *De l'Allemagne*, de Staël had set herself the task of "revealing the glory of the works of the human spirit."⁴⁹ This glory she thought at present to reside in German lands, and it is certainly no coincidence that she considered at least the Northern part of Germany (more specifically Prussia) "*la patrie de la pensée*."⁵⁰ In describing these German riches of the spirit, she hoped to make them accessible to other peoples. After all, it could not be the intention of the French, she postulated in a passage deleted by the censor, to erect a "great wall of China" around French literature to impede the penetration of ideas."⁵¹ Nowhere does she sum up her cosmopolitan convictions more beautifully than in her chapter on the Schlegel brothers:

⁴⁸ Savary to de Staël, 30 Oct. 1810 in *Madame de Staël, ses amis, ses correspondants: Choix de lettres*, ed. Georges Solovieff (Paris: Editions Klincksieck, 1970), 406.

⁴⁹ Madame de Staël, *De l'Allemagne*, ed. Comtesse Jean de Pange, with Simone Balayé (Paris: Librairie Hachette, 1958), 1: 10. For the book's polemical intent see John Clai-borne Isbell, *The Birth of European Romanticism: Truth and Propaganda in Staël's "De l'Allemagne," 1810–1813* (Cambridge: Cambridge University Press, 1994), 15.

⁵⁰ De Staël, *De l'Allemagne*, 1: 12. Also see de Staël to Villers, 1 Aug. 1802 in *Madame de Staël, ses amis*, 208.

⁵¹ De Staël, *De l'Allemagne*, 1: 23.

The nations have to serve each other as guides, and all would do wrong to deprive themselves of the enlightenment [*lumières*] that they might impart to each other. There is something very singular in the difference of one people from another: the climate, the aspect of nature, the language, the government, [and] last but not least, the events of history—the power that is more extraordinary still than all the others—, they contribute to these diversities, and no man, no matter how superior he may be, can guess what develops naturally in the spirit of a man who lives on different soil and breathes different air: therefore it would be a good thing for all to welcome foreign ideas.⁵²

De Staël's celebration of the splendid tapestry of national cultures, woven of all the intellectual riches of mankind, carries undeniable Herderian overtones. Oddly, what is missing is an explicit reference to women and to the role they might play in this cosmopolitan transfer of ideas from one culture to another. The question is surely a legitimate one: why were there no German Corinnes taking advantage of the current political chaos?

Similar to the Italian states, the German lands had long suffered from political fragmentation. Religious divisions going back to the Reformation had undoubtedly aggravated the situation. To be sure, Napoleon's rise to imperial power and his subjugation of many of the German states had done much to spark an incipient national consciousness. The establishment of the Confederation of the Rhine under French tutelage (July 1806), the abolition of the Holy Roman Empire (August 1806), Prussia's disastrous defeat at the twin battles of Jena and Auerstädt (October 1806), the humiliating Treaty of Tilsit (summer 1807), the Austrian defeat at Wagram and the resultant Peace of Schönbrunn (October 1809)—these were only some of the most traumatic events of this traumatic decade that showed what a lack of cultural unity and political independence could lead to. To make matters worse, the Germans lacked a true capital and hence a social center where public opinion could develop. Even more disturbingly, the love of liberty—which, for de Staël, was at the core of every patriotic attachment—hardly seemed to be developed among them, and there was no proper awareness of the German destiny.

Instead of transcending their parochial attachments and actively exerting themselves for the betterment of their undignified condition, the Ger-

⁵² De Staël, *De l'Allemagne*, 3: 352–53.

mans had taken refuge in the abode of the spirit and created a “republic of letters, at once animated and independent.” The “citizens of this ideal republic” distinguished themselves by unearthing “the intellectual riches of the human race”—and by completely ignoring public affairs.⁵³ Significantly, there seemed to be no place for women in this ideal republic.⁵⁴

Perhaps permanently blinded by the brilliance of Parisian society (which, as she repeatedly stated, had no equal in the world), de Staël was unable to rise above a rather crude cliché in her discussion of German women. “The German women have a charm exclusively their own,” she asserts, “a touching voice, fair hair, a dazzling complexion.” German men, on the other hand, were heavy [*lourd*] and “smoke-filled in the moral as well as in the physical sense,” she reported to her father.⁵⁵ The women, however, were not perfect either. Their modesty, assertiveness, loyalty, and high level of education notwithstanding, they lacked that which de Staël considered the outstanding attribute of the superior woman: a proper awareness of the propriety and sacredness of marriage. Partly due to the ease of obtaining divorce in Protestant states, German women “change husbands with as little difficulty as if it were a question of arranging the incidents in a drama.”⁵⁶ As we have seen above, the notion of marriage as the one true goal of a woman’s life was a key concept in de Staël’s thought.⁵⁷ Keeping in mind the significance she attributed to the marital bond, it comes less as a shock when, in her chapter on love in marriage, we come across the following startling contention: “It is right to exclude women from political and civil affairs; nothing is more opposed to their natural vocation than all that would bring them into rivalry with men; and for a woman, glory itself would only be a striking bereavement of happiness.”⁵⁸

Perhaps because she herself was deprived of marital happiness for so long, de Staël tenaciously clung to the vision of a conjugal union founded on complete mutual submission and devotion. The oft-vaunted freedom and power accorded to French women under the *ancien régime* had not, she believed, led to the improvement of their general position. In fact, just the opposite had been the case:

⁵³ De Staël, *De l’Allemagne*, 1: 201.

⁵⁴ De Staël, *De l’Allemagne*, 1: 238.

⁵⁵ De Staël to Necker, 10 Dec. 1803, *Correspondence Générale*, 5, 1: 134.

⁵⁶ De Staël, *De l’Allemagne*, 1: 69.

⁵⁷ For a moving description of the misery of an unhappy marriage and the suffering it entailed see *De l’Allemagne*, 4: 373.

⁵⁸ De Staël, *De l’Allemagne*, 4: 369.

Of all the countries in the world France has perhaps been the one in which women are the least happy at heart. France was called the paradise of women because they enjoyed a great degree of liberty there; but this very liberty arose from the facility with which men detached themselves from them. The Turk who shuts up his wife at least proves to her by that very conduct that she is necessary to his happiness; the man of independent means [. . .] chooses women as victims of his vanity; and this vanity consists not only in seducing, but in abandoning them.⁵⁹

Put differently, liberty was nothing without love, and if one had to choose between the two, the sensible woman, de Staël suggests, would surely prefer love to liberty. As we have seen in *Corinne*, even the most talented woman depended on the protection of a man.

According to Madelyn Gutwirth, *De l'Allemagne* represented a rather reactionary phase in de Staël's writing career.⁶⁰ Considering that on several hundreds of pages only one woman artist is mentioned by name (the dancer Ida Brun), one cannot help but agree with this assessment. De Staël's disregard of such major female Romantics as Caroline Schelling, Dorothea Schlegel, or Rahel Varnhagen is not easily explained, especially since she knew some of them personally and was almost certainly acquainted with their written work. As a result of her preference for male writers and thinkers, de Staël depicts a somewhat lop-sided picture of "Germany" as a nation without muses. With the aforementioned exception, the anonymous women she discusses are limited to exercising their influence in the home, a task they were not particularly good at, as we have seen.

De Staël's decision to leave out women writers from her account becomes even more puzzling when we consider her abiding concern with women's enlightenment. In fact, she would insist on its importance in a new preface written for her letters on Rousseau, reissued in 1814. Rather than discussing the body of the work, she devoted the preface to a settling of scores with the writer whom she had always so ardently admired and who was so critical of intellectual women. In direct challenge to her idol, she now defended the value of a woman's "distinguished education" and demanded the "elevation of the soul" that allowed her to converse with her

⁵⁹ De Staël, *De l'Allemagne*, 1: 79–80.

⁶⁰ Gutwirth, "Madame de Staël, Rousseau, and the Woman Question," *PMLA* 86.1 (Jan. 1971): 105.

beloved in “enlightened sympathy” and “reciprocal admiration,” as she expressed it.⁶¹ We may read this as a reflection on her past literary triumphs and, more broadly still, as a valorization of the superior woman. Unfortunately, none of these observations had a discernible impact on her investigation of German high culture.

Though hardly accurate from a historical point of view, de Staël’s work on Germany poignantly exposes the intertwined nature of nationality, citizenship, and gender. As such, it fits neatly into our analysis. Of broader import for this study, I would argue that as long as we do not look at her vision of women’s specific role in society, we will be unable to appreciate her understanding of the problem of political agency as conventionally understood. This interconnection assumes primary importance when we consider her views on England and France as elaborated in her last work, *Considérations sur la Révolution Française*.

IV. ENGLAND AND FRANCE: ON THE NATIONAL IMPORTANCE OF WOMEN

Germaine de Staël had last visited England in 1793 to spend several months in the *émigré* colony at Juniper Hall. Almost twenty years were to pass until, to escape Napoleon’s persecution, she set foot on British soil again in the summer of 1813. Like her father, she had long admired the English political system and often expressed high regard for its institutions, prosperity, and liberty.⁶² There was something glorious “to be found in limited, representative governments,” she insisted, adding that in England personal merit could achieve anything.⁶³ As I have shown, in *Corinne* she had expressed herself far more critically on England’s stifling private sphere. Some of these ambiguities made their way into her last book, which, as her final word on politics, is of the greatest value to elucidate the author’s views on nationality, citizenship, and gender.⁶⁴ Like her other major works, this

⁶¹ De Staël, *Lettres sur les écrits et le caractère de J.-J. Rousseau* in *Oeuvres Complètes* I, 1, ed. Florence Lotterie (Paris: Honoré Champion Éditeur, 2008), 40–41. Also see Gutwirth, “Madame de Staël, Rousseau, and the Woman Question,” 100–109.

⁶² For her remark on English prosperity and liberty see her letter to the Queen of Sweden, 8 July 1813 in *Madame de Staël, ses amis*, 451.

⁶³ Letter to Moreau, 12 Aug. 1813 in *Madame de Staël, ses amis*, 455.

⁶⁴ Linda Orr, “Outspoken Women and the Rightful Daughter of the Revolution: Madame de Staël’s *Considérations sur la Révolution Française*,” in *Rebel Daughters: Women and the French Revolution*, eds. Sara E. Melzer and Leslie W. Rabine (Oxford: Oxford University Press, 1992), 133–34.

one too builds its “case” on the polarity of two opposites. The *Considérations* explore the differences between England, which she admired, and France, which she loved. What was common to her discussion of both was her concern with the position each accorded to women.

It had long been one of de Staël’s convictions that the true character of the sexes could only be appropriately “known and admired” in free countries. In England, she asserted, all women, from the Queen down to the lowliest commoner, were united in their devotion to marriage and motherhood and could or should therefore feel some sort of kinship with each other. The division into distinct sex roles was not only morally beneficial but actually essential to the constitution of the social order. Under an arbitrary government such as had existed under Louis XVI women had been transformed into “a sort of third factitious sex, the sad production of a depraved social order.”⁶⁵ The conclusion is inescapable: women who meddled in politics and immoral dealings forfeited their femininity and assumed the perverse hybridity of “hermaphrodites.” Luckily, the orderly government of England made such interference unnecessary.

In part, de Staël’s quite narrow vision may have resulted from her opposition to the new order in France, typically couched in contrast to an imaginary England. Though she welcomed the Bourbon Restoration (“I wish the return of the king with my whole soul,” she told a friend in 1815),⁶⁶ it was not necessarily what she had desired. At least from the time of her arrival in Sweden in the summer of 1812 she had quietly worked for the coronation of Count Jean-Baptiste Bernadotte, a French marshal turned Swedish Crown Prince and known by historians as Karl Johan. In supporting the dashing warrior, she hoped to restore some of its former glory to the French nation. This was more urgent than ever after the terrible ravages caused by years of revolutionary turmoil, civil war, and Napoleonic despotism. “The abortive French Revolution,” she wrote Bernadotte in a telling formulation, “has dimmed the lights everywhere.”⁶⁷ In the event, her dream would not come true, and de Staël had to content herself with Louis XVIII, the departed king’s brother.

The return to monarchical government filled the erstwhile Republican with palpable relief. De Staël welcomed the reestablishment of a stable government that would foster order and its inevitable result, progress, and that

⁶⁵ De Staël, *Considerations*, 3: 367.

⁶⁶ De Staël to Harrowby, 9 June 1815 in Madame de Staël, *Selected Correspondence*, trans. and ed. Kathleen Jameson-Cemper (Dordrecht: Kluwer Academic, 2000).

⁶⁷ De Staël to Bernadotte, 20 Aug. 1814 in *Selected Correspondence*, 345.

might in time inspire its citizens with the noble ideals of equality and liberty. Always concerned with the need for superior individuals who would be able to “guide the nation” by virtue of their genius, she was doubtful if not apprehensive about the possibility of genuine social equality. Were human beings not equipped with differing degrees of talent, intellectual abilities, and social graces, and hence “naturally” unequal? This ambivalent attitude vis-à-vis the masses is strikingly apparent in her description of the mob marching on Versailles early in October 1789, the frightening “women and children, armed with pikes and scythes.”⁶⁸ Her own attempt to flee Paris on 2 September 1792 almost ended in disaster:

Scarcely had my carriage advanced three steps, when, at the noise of the whips of the postilions, a swarm of old women, who seemed to issue from the infernal regions, rushed on my horses, crying that I ought to be stopped; that I was running away with the gold of the nation, that I was going to join the enemy, and a thousand other invectives still more absurd. These women gathered a crowd instantly, and some of the common people, with ferocious countenances, seized my postilions, and ordered them to conduct me to the assembly of the section of the quarter where I lived.⁶⁹

An insurrectionary mob, she concluded, is generally “inaccessible to reasoning” and may be acted upon “only by sensations rapid as electricity.”⁷⁰ It is hardly conceivable that de Staël would have considered these unruly masses sufficiently mature to take the nation’s fate into their own hands. One only had to recall the horrors of the revolution to recognize what centuries-long oppression, neglect of education, and general ignorance among the so-called lower orders could lead to.⁷¹ Thus, although the Declaration of the Rights of Man of 1789 had equaled its English and American counterparts in scope and nobility of vision, “it would have perhaps been better,” she mused, “to have confined it . . . to what would not have admitted of any dangerous interpretation.”⁷²

The sentence on the wisdom of limiting the constitution should make us pause and reconsider the notion of “universality,” a staple of Enlighten-

⁶⁸ De Staël, *Considerations*, 1: 340.

⁶⁹ De Staël, *Considerations*, 2: 72.

⁷⁰ De Staël, *Considerations*, 1: 340, 343.

⁷¹ De Staël, *Considerations*, 1: 202.

⁷² De Staël, *Considerations*, 1: 273.

ment discourse. As Joan Scott has shown, the very concept of the individual, though supposedly universally applicable, “could also function to exclude those who were thought not to possess the requisite traits”—that is, women, people of color, and slaves who were seen as non-individuals.⁷³ Though de Staël stops short of articulating her misgivings in precise terms, there can be little doubt regarding the gist of her argument: the framers of the Declaration had been too rash in including too many French under the twin categories of “man” and “citizen” and had thus made it perilously liable to blur the lines between distinct classes.

Lest we consider her reasoning reactionary, we have to remember that what she found particularly reprehensible about absolutism was not necessarily its minuscule power base but rather its vainglory and stupidity. Instead of attempting to acquire reason and wisdom for the benefit of the nation, the Bourbon court under Louis XVI had engaged in a frenetic, harmful, and ultimately futile pursuit of naked power—and thus forfeited not only the right to lead it but the prerogatives of citizenship as well.⁷⁴ If the new government managed to remedy the egregious errors of its predecessors, France might once again attain a superior position among the nations. De Staël, for one, had no doubt that “France alone [would] always be the mistress of Europe.”⁷⁵ This brings us back to our initial problem: who deserved to consider him- or herself a citizen of the *grande nation*? Put differently, what was it that earned one the privilege of citizenship?

In an early analysis of public opinion de Staël had regarded anyone who *thought* as quintessentially French; conversely, “[t]he partisans of the Old Regime, who assert that their status as gentlemen exempts them from thinking, must no longer be regarded as French citizens.”⁷⁶ On the surface, this would seem to include women as deserving of citizenship as well. As we have seen, de Staël envisioned women’s role in the nation differently from that of men. Instead of actively participating in politics, women should concentrate on transcending factional strife.⁷⁷ This did not exclude them from the joys and pains of patriotic feelings, though.⁷⁸ If endowed

⁷³ Joan Scott, *Only Paradoxes to Offer: French Feminists and the Rights of Man* (Cambridge, Mass.: Harvard University Press, 1996), 6–7.

⁷⁴ De Staël, *Considerations*, 1: 145.

⁷⁵ De Staël to Moreau, Sept. 1813 in *Selected Correspondence*, 323. Note the feminine “mistress” rather than master.

⁷⁶ De Staël, “Of Public Opinion” in *Madame de Staël on Politics, Literature, and National Character*, trans. and ed. Morroe Berger (Garden City, N.Y.: Doubleday, 1964), 135. This analysis was part of *Des circonstances actuelles qui peuvent terminer la révolution*.

⁷⁷ De Staël, *Considerations*, 2: 193.

⁷⁸ De Staël, *Considerations*, 3: 326.

with genius, women could draw on these sentiments for the benefit of the free nation. And for de Staël, freedom began in the imagination of individuals who desired to improve both themselves and their compatriots. "Liberty is the only thing that is in the blood of all ages, in all countries and in all literatures; and that from which it cannot be separated, love of one's *patrie*," she had once written.⁷⁹ When all was said and done, it was women writers like herself who deserved the benefits of citizenship.

QU'EST-CE QU'UN CITOYEN?

I began this essay with Germaine de Staël accusing Napoleon of having usurped the key attributes of Frenchness that bound her to the nation she considered her own: birth, service, and sentiment. Throughout her life she had many opportunities to ponder the dual conundrum of national identity and citizenship and what it meant for women. While the French Revolution brought the problem of citizenship to the forefront of the revolutionary discourse, women only rarely figured in the debate, with the exception of a few intrepid voices. In this article I have tried to show that Germaine de Staël was one of the more original among them.

De Staël's observations on nationality and citizenship were born in large part of her own experience, but they had a general significance as well. In a generic sense, the term nation as de Staël conceived it connoted a spiritual and cultural homeland, a place where one's friends dwelled, and a land for which one might need to sacrifice oneself. What it was not was a specific territory with precisely delimited political borders. Instead, it constituted an imagined entity, an idea that inspired feelings of love and belonging regardless of its geopolitical shape and that demanded one's loyalty, ultimately for the benefit of humankind.

As a woman, de Staël considered herself particularly qualified to put her talent, imagination, and sentiment at the service of her nation. Her literary success to a certain extent vindicated her conception of her role as "national muse." Unlike Rousseau who despised intellectual women, she consistently stressed the potential of the Corinnes of all nations to perform acts of creative citizenship. As talented individuals endowed with superior imagination they were able to inspire the masses; as women they were par-

⁷⁹ Letter to Benjamin Constant, 23 Jan. 1814 in *Madame de Staël, ses amis*, 472. For a concise analysis of de Staël's thought on liberty see Simone Balayé, "Staël and Liberty: An Overview" in *Germaine de Staël*, 13–21.

ticularly well suited for this task by virtue of their enthusiasm, eloquence, and empathy—characteristics traditionally associated with females.⁸⁰ At the same time, exceptional women were much less likely to find happiness in private life.

The situation was evidently less complicated for “common women.” Such women could reasonably well be expected to find domestic bliss if they devoted themselves wholeheartedly to their marriage. This is a crucial point. Regardless of “natural” distinctions of intellect and talent, women citizens had an important role to play as virtuous bearers of moral values and thus as active participants in and crucial shapers of the body politic. As Geneviève Fraisse put it so well: “[R]ecognizing the individual’s freedom at home might well be the same thing as affirming the citizen’s independence.”⁸¹

De Staël’s singling out of the feminine predisposition for virtue was indeed a principal aspect of her socio-political thought. In emphasizing humanity and generosity, de Staël transcended the divide between a communitarian model that ignores individuals and an excessively individualist liberalism. In so doing she formulated the concept of “loving citizenship.” “In associating the feminine with face-to-face relations, a concern for individual lives, the value of emotional and familial ties, and a focus on the particular as opposed to the universal,” Lori J. Marso maintains, “de Staël points toward a model of citizenship that transforms democratic practice.”⁸² Patrick H. Vincent has similarly analyzed de Staël’s thought under the rubric of a “politics of the feminine,” that is to say, “a liberal, anti-utilitarian ethos or culture grounded in the development of ‘feminine’ passions such as sympathy and aimed at furthering the Enlightenment ideal of perfectibility.”⁸³ Drawing on these insights, we may conclude that women who worked towards the betterment of society were equally as important to the constitution of the superior nation as the men who defended the

⁸⁰ For an excellent discussion of the ways female eloquence creates the nation see Guerlac, “Writing the Nation,” 49.

⁸¹ Fraisse, *Reason’s Muse*, 118.

⁸² Lori J. Marso, *(Un)Manly Citizens: Jean-Jacques Rousseau’s and Germaine de Staël’s Subversive women* (Baltimore: The Johns Hopkins University Press, 1999), 26. Also see Marso, “The Stories of Citizens: Rousseau, Montesquieu, and de Staël Challenge Enlightenment Reason,” *Polity* 30 (1998): 435–63. For a similar interpretation see Laurence M. Porter, *Women’s Vision in Western Literature: The Empathic Community* (London: Praeger, 2005), 14 and 189 and Patrick H. Vincent, *The Romantic Poetess: European Culture, Politics, and Gender, 1820–1840* (Hanover, N.H.: University Press of New England, 2004), 12.

⁸³ Vincent, *The Romantic Poetess*, 9.

nation with arms. In fact, it was the combination of the two that constituted the model polity.

Ruminating on the “noble country” in which men ruled the realms of politics and the sciences and women the province of literature, de Staël offers a poignant image of her view of the ideal society: “I imagine the women singing the exploits of the warriors in beautiful verses on the lyre, interpreters of the future, priestesses of glory, and receiving more directly the inspiration of heaven because they are not charged with the practical interests of the world.”⁸⁴ The juxtaposition of the doer of the deed with its interpreter is an alluring one. We may well wonder whom de Staël considered more powerful: the men with muskets earning glory in combat or the women with lyres creating and preserving the national cultural patrimony or “soul” by celebrating its undying glory. What is certain is that she viewed women’s position in the nation as essential and indeed constitutive of the social order. Her example powerfully reveals the limits of the conventional equation of citizenship with legal equality and civic duties. Considering the impact of her major works, Germaine de Staël’s pen indeed proved mightier than Napoleon’s sword.

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⁸⁴ De Staël, *Éducation de l’âme par la vie* (unpublished fragment) in *Oeuvres Complètes* I, 1: 325.

William James's Ethical Republic

Trygve Throntveit

For William James (1842–1910), all philosophical problems were ultimately ethical. In *Pragmatism* (1907), James invoked the logical theory of his friend Charles Peirce to argue that the “meaning” of any belief consisted solely in “what conduct it is fitted to produce.” There was “no difference in abstract truth,” he elaborated, “that doesn’t express itself in a difference in concrete fact and in conduct consequent upon that fact, imposed on somebody, somehow, somewhere, and somewhen.” Indeed, James concluded that truth was not just reflected in the consequences of conduct but shaped by them: “Truth is *made*,” he wrote, “just as health, wealth, and strength are made, in the course of experience.”¹ This major thesis of *Pragmatism* distilled a career spent describing an unfinished world, in which human thoughts and actions made differences for which thinkers and actors were responsible. As early as 1878, James insisted that beliefs imply action to advance goals, creating effects valued in light of those goals. The mind, he reiterated in his 1890 masterpiece *The Principles of Psychology*, is a “fighter for ends,” and thinking, a “moral act.” Later, in “The Will to Believe” (1896), James argued that when evidence is inconclusive, belief might create conditions in which hypotheses could be verified and potential goods realized—or lost. That frank (if often overlooked) assessment of the moral risks as well as rewards of intellectual life echoed James’s most explicitly ethical work, “The Moral Philosopher and the Moral Life”

¹ William James, *Pragmatism: A New Name for Some Old Ways of Thinking* (New York: Longmans, Green, 1907), 46, 50, 218.

(1891), where he asserted that when choosing what to believe, it is “simply our total character and personal genius that are on trial; and if we invoke any so-called philosophy, our choice and use of that also are but revelations of our personal aptitude or incapacity for moral life.”²

In short, James, as John Dewey elegized in 1910, “was everywhere and always the moralist.”³ Yet for much of the twentieth century critics deemed James’s philosophy ethically vacuous, a warrant for moral solipsism. In 1909, Bertrand Russell criticized James for privileging belief over suspension of judgment, and thus encouraging people to live in private moral universes rather than seek objective grounding for common values. Today, some intellectual historians continue to echo Russell and likeminded contemporaries, judging ethical pragmatism tantamount to moral relativism, even moral apathy.⁴ Others, acknowledging James’s impassioned pronouncements on lynching, industrial conflict, imperialist expansion, and other public moral issues, have interpreted them as expressing a particularly cosmopolitan but otherwise unremarkable American liberalism, rather than a coherent moral philosophy.⁵

These criticisms are unfounded, but understandable. They reflect a gen-

² James, “Remarks on Spencer’s Definition of Mind as Correspondence” (1878), *Collected Essays and Reviews*, ed. Ralph Barton Perry (New York: Longmans, Green, 1920); idem, *The Principles of Psychology*, 2 vols. (New York: H. Holt, 1890), 1: 141, 2: 566; idem, “The Will to Believe” (1896), *The Will to Believe and Other Essays in Popular Philosophy* (New York: Longmans, Green, 1897); idem, “The Moral Philosopher and the Moral Life” (1891), *ibid.*, 214.

³ John Dewey, “William James” (1910), Jo Ann Boydston et al., eds. *The Middle Works of John Dewey, 1899–1924*, 15 vols. (Carbondale: Southern Illinois University Press, 1976–83), 6: 92.

⁴ Bertrand Russell, “Pragmatism” (1909), *Philosophical Essays* (New York: Longmans, Green, 1910). G. E. Moore and Arthur Lovejoy also were vocal contemporary critics. An extreme recent example of such criticism is John P. Diggins, *The Promise of Pragmatism: Modernism and the Crisis of Knowledge and Authority* (Chicago, Ill.: University of Chicago Press, 1994). Less stridently, Alan Wolfe critiqued the Jamesian celebration of multiperspectival, value-laden social inquiry in “The Missing Pragmatic Revival in American Social Science,” in *The Revival of Pragmatism: New Essays on Social Thought, Law, and Culture*, ed. Morris Dickstein (Durham, N.C.: Duke University Press, 1998), 196–206.

⁵ E.g. Louis Menand, *The Metaphysical Club: A Story of Ideas in America* (New York: Farrar, Straus and Giroux, 2001). James’s ethics is typically ignored by scholars: the most recent intellectual biography, Robert D. Richardson’s *William James in the Maelstrom of American Modernism* (New York: Houghton Mifflin, 2006), devotes a few scattered pages to the subject. Ralph Barton Perry’s *The Thought and Character of William James*, 2 vols. (Boston: Little, Brown, 1935) did attend closely to James’s ethics, but overemphasized James’s individualism, ignored his tragic sensibility, and inadvertently reinforced views of James resembling Menand’s. Among James’s biographers, Ralph Barton Perry attended most closely to his ethics in *The Thought and Character of William James*, 2 vols. (Boston: Little, Brown, 1935). cally American optimism.

eral antipathy toward James's broader conceptions of knowledge, truth, and experience, and frustration with his unorthodox mode of philosophizing. In *Pragmatism*, James followed Peirce in arguing that beliefs are not copies of reality, but "rules for action" resembling the probabilistic predictions guiding scientific inquiry. James, however, extended Peirce's argument, claiming there *is* no static reality that beliefs can once-for-all describe. A self-proclaimed "radical empiricist," James held that the universe is pluralistic, and the only reality accessible to human minds is constantly changing—not least through the ceaseless flux of human consciousness, a fact as natural and consequential as any other.⁶ This blurring of subject-object distinctions scandalized contemporaries. It also underpinned James's equally scandalous claim that ideas not only demonstrate their meaning through conduct, but derive both meaning and value from their origins and verification in human activity. To ask what is true in such a world was to ask which ideas, moral or otherwise, allow people to navigate it successfully—which "carry us prosperously from any one part of our experience to any other part"—and which do not.⁷ Because of these commitments James never made hard distinctions between ethics and other branches of inquiry, or defined his ethics as a separable component of his philosophy easily analyzed on its own terms. Meanwhile, his further refusal to dislodge theory from practice has frustrated those conceiving ethics as a logically and temporally consistent program of conduct. Instead, James insisted that ethical principles emerge organically from individuals' collective experience in deciding moral questions, prompting James scholar Gerald Meyers to deny that a valid definition of "ethics" could embrace such an unsystematic approach.⁸

⁶ E.g. James, "Does Consciousness Exist?" (1904), *Essays in Radical Empiricism*, ed. Ralph Barton Perry (New York: Longmans, Green, 1912), esp. 37. A stimulating account of James's embrace of Darwinian methods, highlighting Peirce's influence and divergent conclusions, is Paul Jerome Croce, *Science and Religion in the Era of William James, Vol. I: Eclipse of Certainty, 1820–1880* (Chapel Hill: University of North Carolina Press, 1995).

⁷ James, *Pragmatism*, 58. The literature on the ideas summarized here is vast. A concise explication of James's conception of truth is Hilary Putnam, "James's Theory of Truth," in *The Cambridge Companion to William James*, ed. Ruth Anna Putnam (Cambridge: Cambridge University Press, 1997), 166–85. Studies of James's radical-empiricist metaphysics include John Wild, *The Radical Empiricism of William James* (Garden City, NY: Doubleday, 1969); Charlene Haddock Siegfried, *William James's Radical Reconstruction of Philosophy* (Albany: SUNY Press, 1990); and William Joseph Gavin, *William James and the Reinstatement of the Vague* (Philadelphia: Temple University Press, 1992).

⁸ Gerald E. Meyers, *William James: His Life and Thought* (New Haven, Conn.: Yale University Press, 1986), esp. chap. 13.

Over the past three decades, amidst what Richard Bernstein lately termed philosophy's "pragmatic turn," numerous scholars have followed Dewey in challenging such views.⁹ Bernstein, Bernard Brennan, John Roth, James Kloppenberg, Hilary Putnam, Ruth Anna Putnam, Charlene Haddock Siegfried, Colin Koopman, and others have demonstrated the logic behind James's rejection of fixed principles of conduct by examining his ethics and his broader accounts of knowledge, truth, and experience holistically, as James conceived them. These efforts have emphasized what Bernstein calls the "ethical consequences" of James's pragmatism: the justification of hoping for a better world, for instance, which Koopman attributes to James's radical historicism; or the recognition of sympathy, nurture, and other traditionally feminine values as worthy of the noblest men, for which feminist pragmatists like Siegfried credit James despite his Victorian penchant for equating "manliness" with "virtue."¹⁰ Yet there is still no sufficiently complete rendering of James's moral philosophy, and several of its major aspects remain unsatisfactorily explained. Roth, for instance, thought James's basic understanding of the good as satisfaction of "demand" threatened to reduce his ethics to the arithmetic utilitarianism he explicitly rejected.¹¹ In contrast, Kloppenberg and others have identified a deontological, Kantian strain in James's ethics, despite its consequentialist thrust (and James's denials).¹² Finally, numerous scholars have concluded that faith in a higher authority was (or must be) the lynchpin of James's ethics, despite his slippery views on religion. Indeed, since David Hollinger and Henry Levinson redirected attention to James's abiding interest in reli-

⁹ Richard J. Bernstein, *The Pragmatic Turn* (Cambridge: Polity, 2010).

¹⁰ Ibid., chapter 1; Colin Koopman, *Pragmatism as Transition: Historicity and Hope in James, Dewey, and Rorty* (New York: Columbia University Press, 2009); Charlene Haddock Siegfried, *Pragmatism and Feminism: Reweaving the Social Fabric* (Chicago: University of Chicago Press, 1996).

¹¹ John K. Roth, *Freedom and the Moral Life: The Ethics of William James* (Philadelphia: Westminster Press, 1969).

¹² James T. Kloppenberg, *Uncertain Victory: Social Democracy and Progressivism in European and American Thought, 1870–1920* (New York: Oxford University Press, 1986), 57–59, 127–28. Kloppenberg emphasized James's epistemological critique of Kant, but concluded that Kant influenced James via British ethicist Henry Sidgwick. Others discovering affinities between James and Kant are Murray Murphey, "Kant's Children: The Cambridge Pragmatists," *Transactions of the Charles S. Peirce Society* 4 (1968): 3–33; Bruce Kuklick, *The Rise of American Philosophy: Cambridge, Massachusetts, 1860–1930* (New Haven, Conn.: Yale University Press, 1977); and Thomas Carlson, "James and the Kantian Tradition," in *Cambridge Companion to William James*, 363–83.

gion in the early 1980s, distinctions between his irrefutable openness to God's existence and his indemonstrable belief in it have become scarce.¹³

But it was precisely because James abjured closed moral systems, insisted on qualitative distinctions among demands, considered particular ideas and acts the subject of moral judgments, and entertained but did not assume the existence of a supernatural authority, that he succeeded in articulating a *pragmatist* ethics—one reflecting the genetic conception of truth and radical-empiricist view of experience he thought modern science, common sense, and the variety of human ideals dictated. This method for integrating belief and action in a dynamic environment was an ethics in the most fundamental sense: a practical guide to conduct proceeding from an apprehension of the good.

James never attached any label to that guide, but he captured its nature in an arresting metaphor that expresses his ethics in terms of its purpose: an "ethical republic." This phrase from "The Moral Philosopher and the Moral Life" aptly characterizes both the subject and predicate of ethical inquiry as James understood it. His ethics was not a fixed program, but an *ideal* of private and public interests converging—an ideal derived from experience, yet suggesting at every moment the terms and consequences of its own realization. In James's view, it was an empirical fact that all individuals have unique ideals, requiring cooperation or acquiescence from other individuals for realization. Consequently all individuals impose obligations upon others—obligations that, hypothetically, are all valid, since every ego making claims recognizes that other egos experience their own claims as similarly imperative. The *practical* validity of ideals, however, could only be established in the course of moral life, as their consequences were judged by the community. In short, while *an* ethical republic was a dependable fact of experience, *the* ethical republic of each

¹³ Bernard P. Brennan, *The Ethics of William James* (New York: Bookman Associates, 1961), esp. chapter III; Kloppenberg, *Uncertain Victory*, 127–28; Hilary Putnam (with Ruth Anna Putnam), "William James's Ideas," in Hilary Putnam, *Realism with a Human Face*, ed. James Conant (Cambridge, Mass.: Harvard University Press, 1990), 217–31, esp. 218; George Cotkin, *William James, Public Philosopher* (Baltimore: Johns Hopkins University Press, 1990), esp. chapter 5; David A. Hollinger, "William James and the Culture of Inquiry," *Michigan Quarterly Review* 20 (1981): 264–83; Henry Samuel Levinson, *The Religious Investigations of William James* (Chapel Hill: University of North Carolina Press, 1981). A provocative argument that James was "a deeply religious person" is Ruth Anna Putnam, "Varieties of Experience and Pluralities of Perspective," in *William James and The Varieties of Religious Experience: A Centenary Celebration*, ed. Jeremy Carrette (London: Routledge, 2005), 149–60, esp. 155.

day depended upon its members' interventions and interactions in it. The purpose of ethics was to help people reflect upon, test, and revise their freely embraced ideals to accord with the republican reality of moral life, while also helping them alter that reality to accommodate as many ideals as possible. For these reasons, some of the next generation's foremost champions of progressive social politics embraced James's vision, making his ethical republic their model for a nation constantly perfecting unity by encouraging each member to act, in W. E. B. Du Bois's words, as "a co-worker in the kingdom of culture."¹⁴

This broad outline of James's ethical republic will keep the big picture clear as its elements are analyzed below. Such study should refine our understanding of an icon of modern intellectual history while also recovering intellectual tools of value today, as struggles to establish the ethical bases of diverse polities continue worldwide. James conceived ethics and ethical reasoning as synonymous: asserting that all moral commitments rest on subjective, interpersonal "agreements" rather than objective, impersonal "proof," James believed the sole principle of ethics is *discussion* to determine relations of "authority" and "submission" among specific claims, while the sole purpose of moral philosophy is to make such discussion as widely satisfactory and respectful of personal freedom as possible.¹⁵ In contrast to both contract theorists and communitarians, James believed principles of justice are always described through lenses of contingent experience, yet insisted people can, with effort, peer through the lenses of others—though the view is never exactly the same. Like Jürgen Habermas, James emphasized the coeval character of personal freedom and public good, the frequently implacable idols of the West's liberal and republican traditions. Yet James confronted the fallibility of deliberation more squarely than Habermas, at times resembling modern-day libertarians in his jealous regard for individual autonomy, yet frequently insisting on the community's right to overrule minority sentiment when deliberation fails and action cannot be postponed. In brief, the relevance of James's discursive ethics for societies committed to orderly change under democratic-republican institutions has not diminished over time, but grown. Today the pluralistic charac-

¹⁴ W. E. B. Du Bois, *The Souls of Black Folk* (Chicago: A. C. McClurg, 1903), 4. A recent overview of James's influence on American social thought is James T. Kloppenberg, "James's Pragmatism and American Culture, 1907–2007," in *100 Years of Pragmatism: William James's Revolutionary Philosophy*, ed. John J. Stuhr (Bloomington: Indiana University Press, 2010), 7–40.

¹⁵ James, "Ethics Course, 1889–89," William James Papers, Houghton Library, Harvard University (James Papers), Series II, item 4427.

ter of the universe he perceived is reflected more clearly than ever in the experience of groups and individuals drawn into increasingly closer contact with one another, and thus with alien moral universes—strange systems that might elicit greater sympathy, even acquire an eerie familiarity, when viewed through the prism of pragmatism.

THE ORIGINS AND MEANING OF MORAL IDEAS

The ethical republic's most striking feature was the fluidity of its customs. James began "The Moral Philosopher and the Moral Life" by stating that "there is no such thing possible as an ethical philosophy dogmatically made up in advance."¹⁶ James recognized the need to apply tested intellectual tools to the solution of moral dilemmas, but believed that tool set must constitute a *method* rather than a *code* of conduct: a general, *revisable* procedure for making moral judgments in a world that does not stand on formalities. In a fluid, "pluralistic universe," where concepts are functional more than descriptive, this unity of theory and praxis promises to reconcile freedom and obligation in ongoing action, even though the flux of experience precludes certainty about the rightness or consequences of moral decisions. Indeed, though the plasticity of reality presents new and frustrating "enigmas" each moment, it also reveals the universe as potentially "self-reparative through us, as getting its disconnections remedied in part by our behavior."¹⁷

"Ethics," for James, signified a method for remedying the universe's moral "disconnections," by resolving clashes among moral claims. James's method required answering what he called "the psychological question": understanding the origins of the moral ideas populating people's minds, and what that etiology reveals about the source of moral authority. Moral ideas, in James's view, are mentally generated, freely entertained, freely pursued or rejected conceptions of the good—a species of the "ideal and inward relations" of consciousness he first described in *Principles of Psychology*.¹⁸ In James's opinion, neither of the ethical traditions dominant in his day shared his etiology of moral ideas. The neo-Kantians, and idealists generally, propounded a deontological ethics, according to which all truly

¹⁶ James, "Moral Philosopher," *Will to Believe*, 184.

¹⁷ H. Putnam and R. A. Putnam, "William James's Ideas," in H. Putnam, *Realism with a Human Face*, ed. Conant; James, *A Pluralistic Universe* (New York: Longmans, Green, 1909), 89, 330.

¹⁸ James, *Principles* 2: 639.

moral ideas derive from a transcendent obligation to treat other people as ends in themselves. From this perspective no specific intention or consequence, but only the dutiful will, is good. By contrast, the utilitarian tradition of Jeremy Bentham, James and John Stuart Mill, and Herbert Spencer propounded a teleological ethics to which consequences are basic. Moral ideas arise ultimately from physiological drives for sensual pleasure, and moral acts are those that maximize pleasure for as many people as possible. James denigrated Kant as a purveyor of “ponderous artificialities” whose transcendental morality ignored the countless concrete situations in which equally good wills clashed. Utilitarianism received equally stinging criticism. James considered it an “apology for selfishness,” and empirically false to boot: history, psychology, and everyday experience taught that humans could be “quite indifferent to present ill, if only the greater ideal be attained.”¹⁹ Briefly, James thought utilitarians ignored the existence, and Kantians the significance, of the personally unique ideas that shaped what most people recognized as their moral lives.

A radical empiricist, however, could not ignore what he considered facts of experience as real as any stone or sunrise. As James argued in “The Moral Philosopher and the Moral Life,” the mysterious ideas the other schools ignored were moral philosophy’s primary subjects. Significantly, these ideas were autochthonous: “Their only habitat can be a mind which feels them.” Physical facts doubtless affected the mind, and James praised utilitarians (faintly) for clarifying the hedonistic origins of many human interests. Nevertheless, it was “impossible to explain all our sentiments and preferences in this simple way.” Invoking Darwin’s theory of spontaneous variation, James asserted that the “passion for poetry, for mathematics, [or] for metaphysics” originated not in sensual pleasures but “incidental complications to our cerebral structure,” and that “a vast number of our moral perceptions also are certainly of this secondary and brain-born kind.” Far from adaptations to our physical environment, these moral ideas “deal with directly felt fitnesses between things, and often fly in the teeth of all the prepossessions of habit and presumptions of utility.” James was repeating an argument from *Principles of Psychology*, where he contended that neither “habitual experiences” nor “public opinion” could explain our moral principles “*in toto*.” Indeed, in the flux of experience, familiar princi-

¹⁹ James, “The Pragmatic Method” (1904), *Essays in Philosophy*, ed. Frederick H. Burkhardt, et al. (Cambridge, Mass.: Harvard University Press, 1978), 138; idem, “The Religious Guarantee,” James Papers, Series II, item 4478; idem, “Moral Philosopher,” *Will to Believe*, 211.

ples are often unavailing: "The most characteristically moral judgments," James averred, ". . . are in unprecedented cases and lonely emergencies, where no popular rhetorical maxims can avail, and the hidden oracle alone can speak."²⁰

Lest the "hidden oracle" be mistaken for anything grander than the particular mind from which it speaks, James made clear that no universal, transcendent, or divine principle is necessary to explain our moral ideas. Even the principle of serving God, whether or not God himself furnishes the idea, is meaningful only when an individual consciousness experiences it as good, and follows it in specific circumstances. All similar principles, whatever their provenance, likewise *become* good (or evil) only in consciousness; while, conversely, good and evil exist wherever consciousness exists. Finally, just as the moral content of the universe originates in the consciousness of specific persons, its "moral character" is "*created* by certain relations amongst persons," relations themselves "created by the *wills* of the persons." In short, ethics is a human affair. "Were all other things, gods and men and starry heavens, blotted out from this universe, and were there left but one rock with two loving souls upon it, that rock would have as thoroughly moral a constitution as any possible world which the eternities and immensities could harbor," James wrote. In his view, "so far as the visible facts go, [we] are just like the inhabitants of such a rock," and "ethics have as genuine and real a foothold in a universe where the highest consciousness is human, as in a universe where there is a God as well. Whether a God exist, or whether no God exist . . . we form at any rate an ethical republic here below."²¹

This is not to say James's ethics excludes belief in God. That belief was too real for too many to be ignored, and to the extent that its projected consequences were experienced by believers, there was evidence supporting it.²² Thus one prominent scholar's conclusion that James "rejects a supernatural moral order presided over by a theistic God" overstates the case; it is the necessity and certainty, not the existence or promise, of a theistic moral order that James rejects. But equally unsustainable is the counterclaim that James thought "attempts to develop ethical theories independent of God" were "doomed to end in sterility and frustration."²³ James's later

²⁰ James, "Moral Philosopher," *Will to Believe*, 190, 186–87; idem, *Principles* 2: 672.

²¹ James, "Ethics Course, 1888–89," James Papers; idem, "Moral Philosopher," *Will to Believe*, 194–200, esp. 198.

²² James, *The Varieties of Religious Experience* (New York: Longmans, Green, 1902), is James's classic statement of this pseudo-apologetic.

²³ Graham H. Bird, "Moral Philosophy and the Development of Morality," in R. A. Putnam, ed., *Cambridge Companion*, 263–64; Brennan, *Ethics of William James*, 62–63.

writings, especially, reveal his far more complex position. In 1904 he argued that the only practical meaning of belief in God is to affirm that today's world could be better in future, and that actions taken now will matter for that future. If the world were complete, it would make no difference if it was the product of bare material forces or divine consciousness, for it would remain forever the same. Only if "God" means that our choices represent real alternatives and will be judged as producing genuine goods or evils could theism be a meaningful alternative to materialism. But employing the same logic in *Pragmatism*, James rejected an *omnipotent* God presiding over a world destined for salvation, for then, too, the world would be closed and our actions inconsequential. Not only would that evacuate the meaning of God for James, it would compel denial of our own experiences of choice and change—"our turning-places, where we seem to make ourselves and grow"—even though these "are the parts of the world to which we are closest" and "of which our knowledge is most intimate and complete." Thus, James wrote in 1909, a consistent pragmatist and radical empiricist must assume that "God is not the absolute," but a "being in time . . . working out a history just like ourselves." Indeed, the only theisms "worthy of our attention" were the pantheists' notions of an "indwelling divine." This implies a God working "like ourselves" because *in and through* ourselves—or rather, *as* ourselves.²⁴

This is hardly an argument that God is necessary for a genuinely moral world. Rather, it is a *hypothesis* of superhuman meliorism—a hypothesis attractive to James, yet frequently trivialized by his insistence that humans do their own saving. Pluralism, James explained in 1910, "makes the world's salvation depend upon the energizing of its several parts, among which we are." As early as 1890 James concluded that our selective attention to a mere fraction of what enters our consciousness is enough to affirm free will on psychological grounds, and to consider our "energizing" efforts real causes for celebration or regret. True, James later classed free will with "God" and other "religious doctrines," but he did not mean these were inextricable. Rather, he was reiterating that neither God nor free will has practical significance unless it affirms the "religious" hypothesis as he formulated it: "the possibility that things may be *better*." Defined thus, religion is a rather dark night falling on a wide field of philosophical cows,

²⁴ James, "Pragmatic Method," *Essays in Philosophy*, ed. Burkhardt, 125–30; idem, *Pragmatism*, 281–89, esp. 287; idem, *Pluralistic Universe*, 318, 30. A brief analysis of James's pluralistic metaphysics and religious thought is David C. Lamberth, "Interpreting the Universe after a Social Analogy: Intimacy, Panpsychism, and a Finite God in a Pluralistic Universe," in *Cambridge Companion to William James*, 237–59.

whose common trait is not affirmation of God but rejection of determinism. Our personal experience of free will, paired with our empirical observation of change and imaginative projection of its forms, permits our taking seriously the urge to resist and reshape our world. "Our spirit," James wrote, "shut within this courtyard of sense-experience, is always saying to the intellect upon the tower: 'Watchman, tell us of the night, if it aught of promise bear,' and the intellect gives it then these terms of promise."²⁵ Certainly, that farther-seeing intellect—what James once called the "*wider self through which saving experiences come*"—*might* be a divine thinker. But it might also be "a larger and more godlike self," one amidst "a collection of such selves" continually emerging from the shifting informational penumbrae and spontaneous variations of finite minds. Regardless, there is no qualitative distinction between "the MORE" offering salvation and the selves seeking it. The God of a pluralistic universe, James wrote in *Pragmatism*, is "but one helper, *primus inter pares*, in the midst of all the shapers of the great world's fate."²⁶

For James, then, our moral life is largely our own creation; and in the only world knowable to humans it is ultimately ours to judge. Yet James's trope of an "ethical republic" suggests not only the freedom but the constraints and responsibilities of moral life. First, as with all ideas, there are limits to what the will can do with them. The hypothetical goods moral ideas represent cannot always be realized. Crucially, however, the will's freedom is preserved under these constraints. "Will" describes "a relation between the mind and its ideas" that does not necessarily culminate in rearrangements of external experience; volition, James wrote, "is a psychic or moral fact pure and simple, and is absolutely completed when the stable state of the idea is there."²⁷ Second, and here uniquely, moral ideas weld freedom to responsibility. The programs of action they suggest have an *imperative* cast; they are not just hypotheses about what could be, but about what *ought* to be, and what we ought to *do*. If that "ought" exists already, the imperative is to keep attending to and enjoying it. But since morality has no basis in a static external order, the "higher, more penetrating" moral ideas typically present themselves as "probable causes of future experience, factors to which the environment and the lessons it has so far taught us must learn to bend."²⁸

²⁵ James, *The Meaning of Truth: A Sequel to Pragmatism* (New York: Longmans, Green, 1910), 227; idem, *Principles* 1, chapter XI, "Attention," and 2, chapter XXVI, "Will"; idem, *Pragmatism*, 120–21.

²⁶ James, *Varieties*, 413, 400; idem, *Pragmatism*, 298.

²⁷ James, *Principles* II, 559–60.

²⁸ James, "Moral Philosopher," *Will to Believe*, 189.

Ethics, for James, is the process of deciding which of these free yet imperative moral ideas—or better *ideals*, given their prospective nature—should be channeled into action, and how. For a pragmatist, a key to this process is clarifying the meaning and probable consequences of ideals before committing to their realization. That requires clarifying the meaning of “good” itself, or answering what James called moral philosophy’s “metaphysical question.” Applying what he later termed the “pragmatic method” to that question in “The Moral Philosopher and the Moral Life,” James determined that in any scenario, involving any number of moral beings, the consequence of conceiving something as good is to lay an obligation upon someone to realize it, even if that someone is only the conceiver of that good. Moreover, James argued that all obligations correspond to concrete, personal demands that certain circumstances obtain over others; contrary to Kantian formulas, there can be no obligation to abstract principles divorced from specific consequences. From a pragmatist perspective, therefore, “*we see not only that without a claim actually made by some concrete person there can be no obligation, but that there is some obligation wherever there is a claim.*” This dictum answered James’s metaphysical question, for if goods had no existence—or meaning—beyond the demands they made upon living minds, then demand and obligation to the good were “coextensive.” In other words, James declared, “*the essence of good is simply to satisfy demand*”—demand not just for pleasure, but “anything under the sun.”²⁹ The origins and meaning of moral ideas, therefore, were inextricable, enmeshed in the individual minds comprising the ethical republic. Accordingly, equality of opportunity was a motto of the republic: if all moral ideas are subjective and imperative, all deserve translation into whatever action best meets the demand they create.

THE CASUISTIC CONUNDRUM

Confidently as James stated it, his conclusion regarding the meaning of the good presents an obvious difficulty in attaining it: demand cannot always be satisfied. Consequently, scholars have characterized James’s ethics as tragic, and James might have agreed.³⁰ “The abstract best would be that *all*

²⁹ Ibid., 191–94, 201.

³⁰ E.g. Kloppenberg, *Uncertain Victory*, 116; and Robert B. Westbrook, *Democratic Hope: Pragmatism and the Politics of Truth* (Ithaca, N.Y.: Cornell University Press, 2005), esp. 72–73. The tragic nature of James’s ethics is one of the few aspects of his thought on which these scholars agree.

goods should be realized," he told his students in the late 1880s. "That is physically impossible, for many of them exclude each other." Even a lone sentient being could have conflicting ideals, he noted in "The Moral Philosopher and the Moral Life"; introduce a second, third, or millionth thinker, and competing moral metrics exacerbate the conflict. Indeed, James himself deemed the question of demand "most tragically practical," for "the actually possible in this world is vastly narrower than all that is demanded." Any answer to what he termed "the casuistic question" in ethics promised to confirm rather than avert this tragedy, for the very need of a "scale of subordination" prioritizing our divergent demands—a casuistic scale—proved that with every moral choice, "part of the ideal must be butchered."³¹

James wrestled with this difficulty while accepting its intractability. In discussing "Aesthetic and Moral Principles" in *The Principles of Psychology*, he argued that our native radical empiricism encourages us to see other people's ideals as facts with the same measure of reality and basis in desire as our own, and that these perceived similarities prompt concern for a common good in which all might share—an argument inspired by British ethicist Henry Sidgwick's "ethics of rational benevolence." Nevertheless, James recognized that such groping toward rational benevolence will never yield a firm grasp of the one true good. Any conflict between our personal demands and sense of benevolence requires an individual or social sacrifice, however small, to resolve it; thus it is a "mere postulate of rationality" that "individual and universal good are one." Kloppenberg has described this "irreconcilable conflict" between individual and society as the signal tragedy of James's ethics, which only a religious appeal could avert.³²

Yet James did not appeal for divinely inspired certainty about the relations between self and society, or even the self's own conflicting demands. The very notion of such certainty contradicts the flux of experience and power of choice (for good or ill) that he believed makes people free. Instead of invoking a divine mind to resolve life's dilemmas, James appealed to what he described in *Principles of Psychology* as the "heroic mind": the "pure inward willingness to face the world" that characterizes "the masters and the lords of life." James's whole philosophy affirmed that reason fails of many truths until active belief intervenes; accordingly, in his ethics, the

³¹ James, "Ethics Course, 1888–89," James Papers; idem, "Moral Philosopher," *Will to Believe*, 191, 202–3.

³² James, *Principles* 2: 672–74, 675 (Sidgwick reference at 673n); Kloppenberg, *Uncertain Victory*, 127–28.

criterion of rational benevolence is fulfilled by the supra-rational “strenuous mood.”³³

There is no “visible” thinker with knowledge of a universally valid casuistic scale, James wrote in “The Moral Philosopher and the Moral Life.” As he privately noted, “backing your own opinion by a God can’t determine what *sort of an opinion* it ought to be. All that a god does is to make us sure that there *is* an objective good;—He doesn’t *tell* us *what* it is.” This would be unproblematic except that many of us, in James’s opinion, *want* a god precisely in order “to make us good against those other fellows.”³⁴ Still, James saw even such selfish desires to identify and align with the good as versions, however perverse, of the perennial ideal of a system harmonizing *all* ideals, a system discoverable if only “sufficient pains” were taken. James believed the prevalence and persistence of that meta-ideal should inspire us to “throw our own spontaneous ideals, even the dearest, impartially in with that total mass of ideals which are fairly to be judged.” It should impel us to risk a collective experiment to determine which ideals are most compatible and which must be discarded, and to adopt as the “guiding principle” of our moral lives the duty “to satisfy at all times *as many demands as we can*.” Appealing to the strenuous mood, this demand principle affirms the creative power and altruistic potential that James consistently juxtaposed in his renderings of the individual in society. In “The Moral Philosopher and the Moral Life” he enjoined, “*Invent some manner* of realizing your own ideals which will also satisfy the alien demands, . . . that only is the path of peace!”³⁵

Sacrifice is thus the price of fullest freedom in the ethical republic. But James’s exhortation to satisfy the most demands possible creates another problem, at least for a philosopher frequently accused of criminal subjectivism. The phrasing of his injunction implies that the end of moral reasoning and action is to satisfy the greatest number of *qualitatively equal* demands, as if every ideal were equally good. James’s very next passage reinforces this impression. The “best act,” he wrote, “makes for the *best whole*, in the sense of awakening the least sum of dissatisfactions.” The casuistic scale must prioritize ideals “by whose realization the least possible number of

³³ James, *Principles* 2: 679.

³⁴ James, “Moral Philosopher,” *Will to Believe*, 199; idem, “Ethics—notes” (n.d.), James Papers, Series II, item 4428.

³⁵ James, “Moral Philosopher,” *Will to Believe*, 205. James discussed the strenuous mood’s prevalence among both imperious and selfless types in idem, “Notes on Ethics, 1899–1901,” James Papers, Series II, item 4508.

other ideals are destroyed. Since victory and defeat there must be," he concluded, "the victory to be philosophically prayed for is that of the more inclusive side,—of the side which even in the hour of triumph will to some degree do justice to the ideals in which the vanquished party's interests lay."³⁶ Here, ideals clash like armies seeking victory with honor, sparing what foes they can and absorbing tractable survivors as full citizens of their empire. The highest ethical reasoning is quantitative, pursuing "the least sum of dissatisfactions"; the highest ideals destroy the least "number" of others. Despite James's martial imagery, it seems it is not so much strenuousness as arithmetic facility that the moral life requires.

Yet in the same essay James contradicted this reading. "Every end of desire that presents itself," he asserted, "appears exclusive of some other end of desire." If so, attempts to preserve the "most" ideals are futile: the number of ideals saved will always equal the number lost. Moreover, James stated that if all goods contain "a common essence, then the amount of this essence involved in any one good would show its rank in the scale of goodness."³⁷ "Demand," of course, was the "common essence" James identified, and while he never adequately explained his demand principle, it clearly was not the *number* of *demands*, but the *amount* of *demand* that he thought mattered most to our moral calculations. And some ideals carried more demand than others. If, for instance, "utopia" for millions required "that a certain lost soul on the far-off edge of things should lead a life of lonely torture," would not the souls offered salvation feel "a specific and independent" revulsion toward the bargain? That singular, "specific" ideal of justice clearly trumps each of the incalculable individual demands that perpetual pleasure for humanity would satisfy, while the singular dissatisfaction resulting from one man's sacrifice might even outweigh the aggregate satisfaction the bargain promised. Further undermining quantitative readings of James's demand principle was his argument for the ethical status quo as the best *initial* guide to resolving moral conflicts: The consent routinely given the status quo, he asserted, reflects its historical efficacy in yielding "the maximum of satisfaction to the thinkers taken altogether"—*thinkers*, not demands. The "best system" does not accommodate the most ideals, but the most *people* holding ideals; people who, as the example of the lone sufferer at the edge of utopia illustrates, want their few, highest demands satisfied before their more numerous trifling ones. When

³⁶ James, "Moral Philosopher," *Will to Believe*, 205.

³⁷ *Ibid.*, 202, 200.

James prayed “victory” for “the most inclusive side,” it was people, not ideals, on whose behalf he pleaded.³⁸

Thus John Roth was correct to conclude that James’s ethics required “qualitative distinctions” among demands to avoid condoning injustices. He was also right to suggest that “freedom” and “unity” were the supreme goods by which others must be calibrated. These conclusions are logically implied by James’s appeal to the strenuous mood, which, to maximize freedom across the community, elevates the ideal of moral organization over all others, and hence privileges ideals most congenial to organization. Yet while Roth claimed that the cornerstone goods of freedom and unity needed to be “built in” to James’s ethics from the outset, it seems more Jamesian to view their special status as emerging from, not antecedent to, the dynamics of the myriad, qualitatively distinct demands James located in immediate experience.³⁹ Indeed, by insisting on the importance of freedom and unity *despite* rejecting static schemes and a priori absolutes, James maintained the centrality of satisfying an ethical republic of living, growing, social people rather than disembodied demands. Concomitantly, the importance to moral life of freedom, unity, flexibility, and lived experience also informed James’s proposed method of organizing the ethical republic: democracy.

Rather than a specific institutional complex, democracy, for James, signified a cultural commitment to communal inquiry, dependent on each individual’s faith that “common people can work out their salvation well enough together if left free to try.” Though James once called this faith the “American religion,” it was not the “civil religion” scholars have identified as the homogenizing emulsifier of nineteenth-century American culture. James’s humanist blend of individualism, solidarism, and pluralism paid no homage to his nation’s dominant political or cultural institutions, which he often castigated.⁴⁰ James believed personal moral authority could only be

³⁸ James rejected John Stuart Mill’s superficially similar utilitarianism of higher and lower pleasures as inconsistent, claiming it encouraged strenuous types to ignore the “consequential pain” caused by “overriding” the high pleasures of those with different casuistic scales. He admired Mill’s effort enough, however, to dedicate *Pragmatism* to his memory (James, “Ethics—Notes,” James Papers; idem, *Pragmatism*, v., 37–38).

³⁹ For Roth’s argument that supreme goods were crucial to James’s ethics yet missing from them, see Roth, *Freedom and the Moral Life*, 67ff.

⁴⁰ James, “Robert Gould Shaw” (1897), *Memories and Studies*, ed. Henry James, Jr. (New York: Longmans, Green, 1911), 42. On America’s “civil religion” see George M. Marsden, *Religion and American Culture* (New York, 1990). James’s conflicting attitudes toward American culture and institutions are explored in Jonathan M. Hansen, *The Lost Promise of Patriotism: Debating American Identity, 1890–1920* (Chicago: University of Chicago Press, 2003).

exercised effectively through ongoing, deliberative discourse, in which freedom and the unity that enhances it are accepted by all participants as the supreme ideals of their moral commonwealth—supreme because their realization maximizes satisfaction generally. Freedom and unity are related dialectically in moral life: free inquiry into the ideals shaping our social environment helps us understand the relations among them, make choices complementing the choices of others, and thereby encourage the community's interest in our own satisfaction, all of which reveals newer and better means of achieving our goals and exercising our capacities. Thus, James wrote in 1910, the individualist “utopia” cherished by critics of egalitarian reform would, ironically, best be approximated by “some sort of a socialistic equilibrium”—a system of mutually beneficial but provisional compromises, sensitive to imbalances of autonomy among citizens and capable of correcting them. In short, moral growth requires the same mix of pragmatic inquiry, creative experimentation, and social verification that James thought all personal and communal development requires, and it is equally open-ended. “We all help to determine the content of ethical philosophy so far as we contribute to the race's moral life,” James asserted. “In other words, there can be no final truth in ethics any more than in physics, until the last man has had his experience and said his say.”⁴¹

VIRTUES OF THE ETHICAL REPUBLIC

By its very nature, then, James's deliberative ethics resists codification. Yet strenuously embracing the uncertainty that affords freedom was, if not an iron rule, a cardinal virtue for James. Moreover, James emphasized three other virtues that empowered such strenuous ethical republicanism: experimentalism, historical wisdom, and empathy.

Regarding experimentalism, James believed exerting one's moral imagination in novel directions could realize goods habitually ignored, or suggest goods conceivable only in contexts of regret and failure. “Which lives most,” he asked in an unpublished note, “this orderly man whose life runs on oiled rails of propriety, who never does ill or makes a mistake or has a regret, or a pang, because on every occasion the right *action* presents itself to his mind and he simply does it; or the passionate, tumultuous blunderer, whose whole life is an alternation of rapturous excitement, and horrible

⁴¹ James, “The Moral Equivalent of War” (1910), *Memories and Studies*, ed. H. James, 286; idem, “Moral Philosopher,” *Will to Believe*, 210, 184.

repentance and longing for the ruined good?" Ethical experimentation causes conflict, but also spurs moral discourse and tests, refines, or displaces conventional means of maximizing freedom. Though impossible to predict, the good ultimately to be achieved by humanity's collective "say" depends on experimentation, for both our "hypotheses" and "the acts to which they prompt us" are "indispensable conditions which determine what that 'say' shall be." The process of articulating, testing, and deliberating over moral hypotheses and their consequences, then, constitutes both the ethical ideal and the program of its realization.⁴²

This running experiment could be chaotic. According to James, however, historical awareness of the practical needs and contingent factors driving it in the past could supply wisdom to discipline innovation without discouraging it. James consistently emphasized the counterbalance of conservative and radical elements in pragmatism, and his ethics discloses the same dialectic.⁴³ Over generations, societies perform "an experiment of the most searching kind," and each day's initial casuistic scale should put "customs of the community on top." Certainly, some people are "born with a right to be original"—or at least a penchant for it—and at any time, deeply rooted as society's norms might be, "revolutionary thought or action may bear prosperous fruit." Still, such fruit is harvested "only through the aid of the experience of other men," and its value determined the same way. James offered this organic account of social change as early as 1880, when he explained the relationship between "Great Men and Their Environment" in Darwinian terms, with human intelligence the major selective pressure. The innovative socio-political perspectives of "great men," he argued, are spontaneous variations of social thought, which the community's aggregate judgments either allow to propagate or reject as maladapted to its needs. Even highly original ideas for change take effective form only after widespread *social* testing, against current exigencies with roots in historical processes and contemporary values that are historically conditioned. Thus, while moral innovators are crucial to social development, history and the society it shapes provide resources from which all experimenters draw, and impose constraints under which they operate.⁴⁴

⁴² James, quoted in Perry, *Thought and Character* 2: 258; idem, "Moral Philosopher," *Will to Believe*, 184.

⁴³ E.g. James, *Pragmatism*, 59–62, 77–78.

⁴⁴ James, "Moral Philosopher," *Will to Believe*, 206, 208–9; idem, "Great Men and Their Environment" (1880), *ibid.*, 216–54. Contrast Meyers, who attributes "predefined aims" to James's ethical experiment, and thus concludes that its "alleged sciencelike progress" would be destroyed rather than advanced by the endless "checks" of individuals. Meyers, *William James*, 398–99.

Finally, the virtue of empathy, a form of emotional, radical empiricism, helps ensure that the strenuousness of individuals redounds to the health of the republic. Our often paltry interest in others' feelings, James wrote in "On a Certain Blindness in Human Beings" (1898), severely handicaps the quest for more unified moral knowledge and the enhanced freedom it brings. In moral conflicts, judgments made in ignorance of others' feelings are "sure to miss the root of the matter" and "possess no truth."⁴⁵ Yet even the "common practical man," devoted to his personal affairs, occasionally experiences a "gleam of insight" into "the vast world of inner life" beyond his own. At such instances "the whole scheme of our customary values gets confounded" and "a new center and a new perspective must be found." James saw this ineluctable, periodic reevaluation of moral priorities as evidence that we should *search out* alien ideals, to help realize the potentially greater goods waiting upon our creative inquiry. Rather than shirking our "practical" duties to our own ideals, seeking meaning in the ideals of others enriches our personal moral worlds.⁴⁶

To free his readers for this task, James urged them to adopt a radical-empiricist approach to moral life: to reflect critically on the "abstract conceptions" defining their habitual values, and "tolerate, respect, and indulge" other people "harmlessly interested and happy in their own ways." The call for an actively cultivated empathy in "On a Certain Blindness" was thus paired somewhat incongruously with an injunction to leave others alone; to pursue our own ideals "without presuming to regulate the rest of the vast field." Yet the keyword above is "harmlessly": tolerance rightly understood is a means of maximizing freedom, not a euphemism for ignoring consequences. James affirmed the critical nature of the tolerance he espoused in his preface to *Talks to Teachers* (1899), in which "On a Certain Blindness" was republished. Declaring that the essay's purpose was to encourage "democratic respect for the sacredness of individuality," he immediately defined such respect as "tolerance of whatever is not itself intolerant." Though the empathy tolerance fosters often reveals overlaps among values, empathy cannot always resolve conflicts. In such cases, James told his students, "all wills which are not organizable, and which avowedly go against the whole," must be sacrificed.⁴⁷

⁴⁵ James, "On a Certain Blindness in Human Beings" (1898), *Talks to Teachers on Psychology; and to Students on Some of Life's Ideals* (New York: Longmans, Green, 1899), 230–31.

⁴⁶ *Ibid.*, 240–45, esp. 241.

⁴⁷ *Ibid.*, 257, 264; James, Preface, *Talks to Teachers*, v; *idem*, "Ethics Course, 1888–89," James Papers.

Even mild critics have missed James's hard-headed acceptance of deliberation's limits, contrasting, for instance, the alleged moral apathy of pragmatism with the courage of conviction behind the North's prosecution of the Civil War. Yet that conflict inspired James's most eloquent defense of strenuous morality: his 1897 eulogy of Col. Robert Gould Shaw and the all-black Massachusetts Fifty-fourth regiment, whose sacrifices he thought exemplified citizens' duty to decide for themselves when the forms of democracy fail the ideal. Shaw and his soldiers had no formula for making that decision, nor do we; as James cautioned, "Democracy is still upon its trial." Instead, James asserted, democracy's survival hinges on two assiduously cultivated habits of "civic courage": "disciplined good temper" toward those adhering to democratic processes, and "fierce and merciless resentment" toward those subverting them when the outcome confounds their wishes. Yet, crucially, these remain habits, not precise formulas; any specific decision to maximize freedom by resisting its seemingly narrower forms entails great risk, with no certainty of righteousness or reward. Rather, James insisted, "it is at all times open to any one to make the experiment, provided he fear not to stake his life and character upon the throw."⁴⁸

The centrality of both communal inquiry and existential courage to James's ethics reflects its fundamental characteristics, humanism and fallibilism. James considered strenuous ethics widely achievable, and increased moral unity eternally possible. Despite frequently suggesting that belief in God best inured one against life's trials, he considered religion an outlet for what "probably lies slumbering in every man."⁴⁹ Ultimately, religion affirmed James's pragmatic theory of *human* knowledge, declaring an "unseen world" of future possibilities, "in its relation to which the true significance of our present mundane life consists." Moreover, what faith declared, the history of science demonstrated: present knowledge is imperfect, greater knowledge awaits, and the needs, efforts, and "spiritual forces" of humans, conversing with thinkers past and present, reveal and affect this "larger world."⁵⁰ That world is most complete when emerging from the sacred yet uncertain exercise of "mental freedom" characterizing what James termed "the intellectual republic," and its moral shape is enhanced by the same tolerant yet critical discourse—the most scientific method yet invented for reconciling individual and common good. The

⁴⁸ James, "Shaw Oration," *Memories and Studies*, ed. H. James, 57, 60–61; idem, "Moral Philosopher," *Will to Believe*, 206.

⁴⁹ James, "Moral Philosopher," *ibid.*, 210–15, esp. 211.

⁵⁰ James, "Is Life Worth Living?" (1896), *ibid.*, 51, 54–56.

"active faiths of individuals . . . freely expressing themselves in life, are the experimental tests by which they are verified, and the only means by which their truth or falsehood can be wrought out," James wrote in the preface to *The Will to Believe*. The moral knowledge that brings freedom depends equally for its creation upon individual assertion and social assent; therefore all "ought to live in publicity, vying with each other."⁵¹

Yet concluding that James believed in humanity's capacity for "progress" in any absolute sense would be mistaken. Instead, James's ethical humanism highlights his refusal to resolve in theory tensions that persist in experience. Change is ever-present, and the best changes bring society into "some newer and better equilibrium" reflecting the input of all. Still, such changes make no "*genuine vital difference*" to moral life, because life's "meaning" is change itself: "the marriage, namely, of some unhabitual ideal, however special, with some fidelity, courage, and endurance; with some man's or woman's pains." These marriages succeed with the sanction of experience, but their consummation produces new ideals; and "with each new ideal that comes into life, the chance for a life based on some old ideal will vanish."⁵²

For James, then, freedom is enhanced when particular conflicts between inner ideals and external experience are resolved. But freedom must end if conflict itself disappears, especially the conflict between individual and society that, managed deliberately, creates opportunities for mutual growth. "Republicanism," James wrote in his early thirties, "is of course the political corollary of free-will [sic] in philosophy," and James never relinquished that belief in the irreducible sociality of freedom.⁵³ In the ethical republic, submitting one's judgments to the scrutiny of a community, itself shaped by that very act of exchange, is a feat of self-definition; a declaration of independence from outmoded orders and unexamined assumptions.

GIVING JAMES HIS SAY

Considering James's belief that freedom, wisdom, and virtue are realized through participation in society's running discussion of its goals, it seems

⁵¹ James, "Will to Believe," *ibid.*, 30; *idem*, Preface, *ibid.*, xii.

⁵² James, "What Makes a Life Significant?" *Talks to Teachers*, 298–99, 300.

⁵³ James, "Renouvier's Contribution to *La Critique Philosophique*" (1873), *Essays, Comments, and Reviews*, ed. Frederick H. Burkhardt, et al. (Cambridge, Mass.: Harvard University Press, 1987), 266.

likely that his invocation by modern moral and political philosophers would have honored him, while the variety and even divergence of outlooks among them would not have bothered him much. Still, recovering James's original ideas can advance the contemporary conversation about pragmatism and its importance to twenty-first-century political life beyond the positions of its major participants. There are no more influential theorists of pragmatist political ethics than Richard Rorty and Jürgen Habermas, for instance, yet their very different pragmatisms both seem less suited to modern conditions than James's century-old version.

Rorty took James's fallibilism to a notorious extreme. Rejecting the "realist intuitions" that burdened the Western tradition, Rorty urged philosophers to seek "solidarity" over "objectivity," and democratic cultures generally to adopt a "cautionary sense of true" describing merely those cultural constructions we successfully persuade others to accept.⁵⁴ Habermas has criticized Rorty's radically contextualist pragmatism on various grounds, the most important of which, perhaps, are purely pragmatic: it neither explains what people do nor achieves what Rorty wants. Ignoring the implicitly universal character of truth and justice claims, Rorty distorts the everyday linguistic practice through which he hopes solidarity can be achieved. According to Habermas, any attempt to reach agreement on moral norms *depends* upon the "realist intuition" that there *is* a reality independent of our thought and actions, against which ideals can be tested to determine their universality.⁵⁵ But as Bernstein recently argued, Habermas's "Kantian pragmatism" also violates pragmatist principles. To avoid relativism, Habermas introduces dualisms of the kind James abhorred, distinguishing between unconditional "moral norms" and contextual "ethical values," and between a "theoretical philosophy" that explores the former and a "practical philosophy" that applies the latter. Not only do these distinctions divorce truth from experience, they do so to no purpose, for all truths, whatever we call them, gain or lose credence through human experience.⁵⁶ Ultimately, neither Habermas nor Rorty provides a satisfactory model for both democratic discourse and action. Whether we are stripped

⁵⁴ Richard Rorty, *Consequences of Pragmatism* (Minneapolis: University of Minnesota Press, 1982); idem, *Contingency, Irony, and Solidarity* (Cambridge: Cambridge University Press, 1989).

⁵⁵ Jürgen Habermas, "Richard Rorty's Pragmatic Turn," in *Rorty and His Critics*, ed. Robert Brandom (Oxford: Blackwell, 2000), 31–55; idem, *Truth and Justification*, trans. Barbara Fultner (Cambridge, Mass.: Harvard University Press, 2003), esp. 2, 8–11, 88–89, 228–30, 254.

⁵⁶ Bernstein, *Pragmatic Turn*, chapter 8.

of the means to judge among values, or bound by universals which everyone perceives differently (and fallibly), our course is determined by coincident interests or calculated force.

James navigated these shoals by the light of a pluralistic universe, a world both connected and disconnected, one and many, depending on the questions we ask about it—and sometimes, the answers we give. James's quest for the larger moral whole did not depend on reconstructing truths independent of particular human values. But neither did it ignore the world that contains and exceeds our moral lives, and to which we and others are responsible. James sought a common rather than a universal moral ground, one selected and partially created, rather than discovered, by moral actors. The conjunctions and disjunctions between our own moral lives and others we seek to understand remind us of a world beyond ourselves, and present opportunities to multiply conjunctions through unilateral or multilateral compromise. Objectivity and solidarity both can be enhanced if we find such compromises worth making. This Jamesian political ethics suits an increasingly interdependent world, in which spheres of self-containment shrink while dangers of cultural imperialism proliferate. It is only through tolerance and compromise that contingent values become moral truths. Yet it is only through faith in truth's distinction from mere preference that we find the courage to make or demand sacrifices for the common good.

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И

Protestant Responses to Darwinism in Denmark, 1859–1914

Hans Henrik Hjerimitslev

From the 1870s onwards, Charles Darwin's theory of evolution, published in *On the Origin of Species* (1859) and *Descent of Man* (1871), was an important topic among the followers of the influential Danish theologian N.F.S. Grundtvig (1783–1872). The Grundtvigians constituted a major faction within the Danish Evangelical-Lutheran Established Church, which included more than ninety percent of the population in the period 1859–1914.

This article demonstrates the influence of local contexts on the reception of scientific ideas by analyzing how specific aspects of Danish intellectual culture made the Grundtvigian reactions to Darwin's theory different from Protestant denominations in America and Britain. Firstly, Grundtvig's critique of Lutheran scriptural theology and his preference for the living word to the letters of the Bible legitimized liberal interpretations of Scripture. Secondly the philosophy of the Søren Kierkegaard protagonist, Rasmus Nielsen, made it possible for Grundtvigians to draw radical distinctions between science and faith. This specific "Danish Protestantism," as the clergyman Frederik Jungersen phrased it in 1873, led the way for liberal Grundtvigians in coming to terms with Darwinism in the first decades of the twentieth century.¹

¹ F. Jungersen, *Dansk Protestantisme* (Copenhagen: Schønberg, 1873). All translations are mine. I am grateful to the two anonymous peer reviewers and colleagues at the Department of Science Studies and the Department of Philosophy and History of Ideas, Aarhus University, for their valuable comments. Special thanks go to Peter C. Kjærgaard,

PROTESTANT RESPONSES TO EVOLUTION

In recent decades historians have paid considerable attention to religious responses to Darwinism. Studies have revealed a variety of reactions to evolution depending on local contingencies, which has made it impossible to uphold any grand narrative of the dissemination of Darwinism.² In his study of Calvinist attitudes toward Darwinism in Princeton, Belfast, and Edinburgh, David N. Livingstone thus emphasizes the importance of place in the reception of evolution.³ The historical complexities shaped by local contexts have been further demonstrated by scholars, who have explored the responses to Darwinism in a wide range of Protestant denominations in Britain and America.⁴ From the 1870s, when evolution was generally accepted among British and American scientists, liberal and even some orthodox theologians advocated various kinds of theistic evolutionism. It was not until the 1920s that creationists, who rejected evolution in general and human evolution in particular, took center stage in American Protestant answers to the Darwinian challenge. While many Protestant theologians in the decades around 1900 accepted that God had created the living world, including man, through evolution, very few embraced the specific Darwinian mechanism of natural selection that was often said to have atheistic implications. Instead liberal theologians, in line with many naturalists, often applied Lamarckian concepts of use-inheritance and teleological

Helge Kragh, Niels Henrik Gregersen, Geoffrey Cantor, Casper Andersen, Stine Grumsen, Mathias Clasen, Kim Arne Pedersen, Knud Eyvin Bugge, and Flemming Lundgren-Nielsen.

² J. H. Brooke, *Science and Religion—Some Historical Perspectives* (Cambridge: Cambridge University Press, 1991); R. L. Numbers, *Science and Christianity in Pulpit and Pew* (Oxford: Oxford University Press, 2007); R. L. Numbers and J. Stenhouse (eds.), *Disseminating Darwinism* (Cambridge: Cambridge University Press, 1999); E.-M. Engels and T. F. Glick (eds.), *The Reception of Charles Darwin in Europe* (Cambridge: Continuum, 2008).

³ D. N. Livingstone, "Science, Region, and Religion: The Reception of Darwinism in Princeton, Belfast, and Edinburgh" in Numbers and Stenhouse, 7–38.

⁴ J. R. Moore, *The Post-Darwinian Controversies—A Study of the Protestant struggle to come to terms with Darwin in Great Britain and America 1870–1900* (Cambridge: Cambridge University Press, 1979); R. M. Young, *Darwin's Metaphor* (Cambridge: Cambridge University Press, 1985); D. N. Livingstone, *Darwin's Forgotten Defenders* (Edinburgh: Scottish Academic Press, 1987); J. H. Roberts, *Darwinism and the Divine in America* (Madison: University of Wisconsin Press, 1988); R. L. Numbers, *The Creationists: From Scientific Creationism to Intelligent Design* (2nd ed., Cambridge, Mass.: Harvard University Press, 2006 [1992]); R. L. Numbers, *Darwinism comes to America* (Cambridge, Mass.: Harvard University Press, 1998); G. Cantor, *Quakers, Jews and Science* (Oxford: Oxford University Press, 2005); P. J. Bowler, *Monkey Trials & Gorilla Sermons* (Cambridge, Mass.: Harvard University Press, 2007).

development and prevalent ideas of progress that were seen as consistent with viewing evolution as a meaningful process and the unfolding of the Creator's plan. According to James R. Moore, Peter J. Bowler, and Frederick Gregory this was the common way for liberal Christians to respond to organic evolution at least in the English-speaking world. It offered an acceptable compromise between science and faith. However, this article demonstrates that this strategy did not dominate in Denmark, where a separation model of science and faith was a more widespread approach when embracing the theory of evolution.⁵

While studies by Jon H. Roberts and Ronald L. Numbers reveal considerable differences *within* the leading Protestant denominations such as Calvinists, Baptists, Lutherans, Episcopalians, and Methodists in their attitudes toward evolution, they detect no significant differences *among* the groups. Numbers notes however that "distinctive theological convictions sometimes influenced how people viewed Darwin's theory."⁶ This was especially the case when we move from the Protestant mainstream into distinctive groups such as the Seventh-day Adventists and the Pentecostals. In the case of the Adventists, their hyper-literalism and strong support for young-earth creationism owed much to the inspired writings of their founding prophetess Ellen G. White, while the relative indifference to evolution among Pentecostals can be explained by their Wesleyan-Methodist focus on religious experience over the study of Scripture.⁷ Likewise, in a study of attitudes toward evolution within the British Quaker community, Geoffrey Cantor has shown how discussions of Darwinism between evangelicals and moderates centred on the relative importance that should be paid to the Bible versus the doctrine of the Inner Light. Emphasizing the Inner Light and rejecting a literalist interpretation of the Bible, moderate Quakers in the closing years of the nineteenth century embraced the theory of evolution.⁸ In contrast to the conclusion drawn by Roberts and Numbers that denominational background was not decisive in the stances toward evolution among mainline Protestants, this article demonstrates how specific doctrines within the mainline Evangelical-Lutheran group of Grundtvigians had a crucial impact on how Danish Protestants conceded to Darwinism.

⁵ Moore, 217–51; Bowler, 134–75; F. Gregory, "The Impact of Darwinian Evolution on Protestant Theology in the Nineteenth Century," in *God & Nature—Historical Essays on the Encounter between Christianity and Science*, eds. D. C. Lindberg and R. L. Numbers (Berkeley: University of California Press, 1986), 369–90.

⁶ Numbers, *Science*, 5; J.H. Roberts, "Darwinism, American Protestant Thinkers and the Puzzle of Motivation" in Numbers and Stenhouse, 145–72.

⁷ Numbers, *Darwinism*, 22–23, 92–135.

⁸ Cantor, 248–69.

Studies by Jes Fabricius Møller and by Niels Henrik Gregersen and Peter C. Kjærgaard have demonstrated the dominant role of Grundtvigian debaters in the religious responses to Darwinism in Denmark in the period 1859–1900. This article bears out Møller's claim that, "[b]ecause of the broad recognition given to Rasmus Nielsen's teachings it was thus possible to accept modern scientific knowledge and at the same time retain a dogmatic Christian faith."⁹ Gregersen and Kjærgaard argue, by contrast, that "Nielsen's incommensurability thesis should hardly be seen as the dominating view."¹⁰ By including popular weeklies and religious magazines hitherto neglected by historians and expanding the period under study to 1914, this article demonstrates, on the one hand, that the dissemination of Darwinism among Grundtvigians was not as peaceful as Møller suggests, and on the other hand, that Gregersen and Kjærgaard underestimate the influence of Nielsen's separation model. Moreover, the article argues that the Darwinian debates should be analyzed as part of a broader controversy in the periodical press between Grundtvigian editors and writers debating over issues such as biblical criticism and modern science.

Periodical literature has recently been the focus of much scholarly work. Historians have argued that "general periodicals probably played a far greater role than books in shaping the public understanding of new scientific discoveries, theories, and practices."¹¹ Periodicals reached a larger readership than books, and by their nature they were more dynamic as they often harboured conflicting opinions about cultural, political, theological, and scientific issues. Periodicals were multivocal: they contained articles by different contributors and often included letters from readers. This complexity of narratives makes periodical literature a fruitful place to look if we wish to understand how ideas such as Darwinism were received by reading audiences.¹²

⁹ J. F. Møller, "Teologiske reaktioner på darwinismen i Danmark 1860–1900," *Historisk Tidsskrift* 100 (2000): 69–92; 92.

¹⁰ N. H. Gregersen and P. C. Kjærgaard, "Darwin and the Divine Experiment: Religious Responses to Darwin in Denmark 1859–1909," *Studia Theologica* 63 (2009): 140–61; 144.

¹¹ G. Dawson, R. Noakes and J. R. Topham, "Introduction" in *Science in the Nineteenth-Century Periodical: Reading the Magazine of Nature*, ed. G. Cantor (Cambridge: Cambridge University Press, 2004), 1–34; 1–2.

¹² G. Cantor and S. Shuttleworth (eds.), *Science Serialized: Representation of the Sciences in Nineteenth-Century Periodicals* (Cambridge, Mass.: MIT Press, 2004); L. Henson et al (eds.), *Culture and Science in the Nineteenth-Century Media* (Aldershot: Ashgate, 2004); C. Andersen and H. H. Hjermitsev, "Directing Public Interest: Danish Newspaper Science 1900–1903," *Centaurus* 51 (2009): 143–67.

THE GRUNDTVIGIANS AND THEIR PERIODICAL PRESS

The clergyman, poet, historian, philosopher and liberal politician Grundtvig was extremely important for many aspects of religious and cultural life in nineteenth-century Denmark. From the 1830s, a devoted community of friends assembled at his pulpit in the church of the Vartov Hospital in Copenhagen. During the 1860s, theologians and school teachers took up Grundtvig's educational ideas and founded more than a hundred folk high schools in rural Denmark providing liberal education based on Grundtvig's concept of *Bildung*. Politically, the vast majority of the Grundtvigians supported the Liberal Party. They were thus allied with their cultural antagonists, the freethinkers associated with the literary critic Georg Brandes, in attempts to overthrow the conservative government which remained in power from the first free Constitution of 1849 until 1901.¹³

Grundtvig was highly critical of natural science that was not included in his concept of *Bildung*. Influenced by German enlightenment thinkers such as Johan Gottfried Herder, his ideas formed a synthesis of idealistic philosophy of history, Christianity, nationalism, and liberalism. He understood history as a progressive, teleological process and the unfolding of the Creator's plan in which the peoples of the North were highly regarded as one of God's chosen peoples. In his world history, Grundtvig interpreted Scripture literally and appears never to have accepted the Copernican worldview. Grundtvig supported Georges Cuvier's catastrophism and took the deluge as a historical fact. In his *Haandbog i Verdens-Historien* (*Handbook on World History*) of 1833, he insisted that God's six days of creation took place c. 6,000 years ago.¹⁴

While in his historical writings Grundtvig understood Genesis literally, he distanced himself from mainstream Lutheranism by attacking bibliolatry in his theological writings. According to Grundtvig's church view (*kirkelige anskuelse*), the central dogmas of Christianity were the sacraments, Baptism and the Eucharist, and the Apostolic Creed, while the Bible only played

¹³ A. M. Allchin, *N.F.S. Grundtvig—An Introduction to his Life and Work* (Aarhus: Aarhus University Press, 1997), 167–73; H. Begtrup et al, *The Folk High Schools of Denmark* (London: Oxford University Press, 1948).

¹⁴ N. F. S. Grundtvig, *Haandbog i Verdens-Historien. Første Deel* (1833), in *N.F.S. Grundtvigs Samlede Skrifter* VI, ed. H. Begtrup (Copenhagen: Gyldendal, 1907), 7–532; 38–39; K. Malone, "Grundtvig's Philosophy of History," *Journal of the History of Ideas* 1 (1940): 281–98; O. Vind, *Grundtvigs Historiefilosofi* (Copenhagen: Gyldendal, 1999), 264–69, 617; K. A. Pedersen, "Grundtvig og fundamentalismen," *Grundtvig-Studier* (2004): 86–124; Møller, 81.

a secondary role. The words of Jesus and the resurrected Christ to his disciples, Grundtvig emphasized, had founded the first congregation and were both older and more original than the written letters of the Bible. According to Grundtvig, the Church was not founded on the Holy Scriptures, as other Lutherans would have it, but on the living word of Christ, which had been handed down from Christian to Christian through history. This priority of the living word to what he called the dead letter was the cornerstone of Grundtvig's theology and had a strong hold on his adherents.¹⁵ The ambiguity of Grundtvig's literal interpretation of Scripture in his philosophy of history and his downplaying of the importance of the Bible in his theology became crucial to the reception of Darwinism among Grundtvigians.

Grundtvig never explicitly commented on Darwin's theory, but since the 1830s he had occasionally criticized ideas of human evolution that were known in Denmark before Darwin's time.¹⁶ In his 1862 Winter address at his folk high school Marielyst, hinting at ongoing debates about Darwinism, he emphasized that there existed an unbridgeable gulf between man and animals:

We are all *Human beings*, and not animals, people and not beasts, so even when we lay sucking unable to say anything, we were not breast-feeding animals, but breast-feeding babies, *human* babies. Therefore when erudite intellectuals want to make us believe that we are no better than puppies and kittens since we suck like them, then they might as well say that we are no better than chicken and goslings, since we walk on two feet like them.¹⁷

The politico-theological landscape of Denmark in the second half of the nineteenth century was dominated by the Grundtvigians and another revivalist group, the evangelical Home Mission (*Indre Mission*). These home-grown revivalists stayed within the Danish Evangelical-Lutheran Established Church, while Anglo-American revivalist movements such as Pentecostals, Adventists, Methodists, and Baptists remained marginalized and insignificant, like the Catholic and Jewish minorities, with only a few thousand members each. The Grundtvigians and the Home Mission both chal-

¹⁵ N. F. S. Grundtvig, *Kirkens Gienmæle* (1825), in *Grundtvigs Samlede Skrifter* IV, 396–429; Allchin, 105–14.

¹⁶ Gregersen and Kjærgaard, 147–49.

¹⁷ N. F. S. Grundtvig, *Taler paa Marielyst Højskole* (Copenhagen: Gyldendal, 1956), 61.

lenged high-church orthodoxy as defined by the bishops and the Faculty of Theology at the only Danish university in Copenhagen. In his widely translated work on Christian ethics, the prominent bishop and professor of systematic theology H. L. Martensen defended a cultural synthesis that included a unification of faith and knowledge, theology and philosophy, in a Hegelian scheme that had Christianity as the center of all cultural life.¹⁸ No doubt, Martensen's conservative and holistic approach had many adherents among the silent majority of the established church, but it was also strongly attacked by Copenhagen freethinkers on the one hand and Christian philosophers such as Søren Kierkegaard and revivalists on the other. The freethinkers dismissed all aspirations by theologians to control cultural life, while Kierkegaard, Grundtvigians and evangelicals attacked academic theology and called for a living faith. Kierkegaard insisted that Christ could not be reached by reason or included in any idealistic scheme and emphasized the individualistic and paradoxical character of faith.¹⁹ Kierkegaardian subjectivism, however, did not gain a foothold among the laity in the nineteenth century. Instead the two revivalist groups came to dominate Christian life in Denmark after mid-century. They had, however, very different views on the role of Christianity. The low-church Home Mission was strictly evangelical and preached personal confession, biblical literalism and puritan values, criticizing all engagement with profane culture, while the more liberal Grundtvigians sought to integrate Christian faith and folk culture. From the 1860s Grundtvigians and the Home Mission expanded rapidly in the country. Hundreds of houses for worship were built by supporters of the Home Mission, and equal numbers of village halls and folk high schools were opened by Grundtvigians.²⁰

Among the central issues that divided these factions were biblical criticism and Darwinism. Historical criticism of the Old Testament was not widely discussed in Denmark before the 1880s, when the moderate theologian Frants Buhl popularized historical studies that questioned the literal truth of Genesis. In the 1890s, however, the powerful leader of the Home Mission Vilhelm Beck, and High Churchmen made their influence count at the Faculty of Theology where the conservative dean Peder Madsen was very cautious that higher criticism should not disturb the beliefs of the stu-

¹⁸ H. L. Martensen, *Christian Ethics*, trans. C. Spence (Edinburgh: T. and T. Clark, 1873).

¹⁹ G. Pattison, *Kierkegaard and the Crisis of Faith* (London: SPCK, 1997), 63–68.

²⁰ P. G. Lindhardt, *Den Danske Kirkes Historie VII* (Copenhagen: Gyldendal, 1958): 89–180; M.S. Lausten, *Danmarks Kirkehistorie* (Copenhagen: Gyldendal, 2004), 248–89.

dents and the Danes in general.²¹ The popularization of biblical criticism was thus left to groups within the Broad Church, first and foremost the Grundtvigians, who were also the most vocal voices in the debates about Darwinism that simultaneously gained momentum in the decades around 1900. Notably, the periodicals associated with the Home Mission condemned biblical criticism and ignored Darwinism.

The Grundtvigians did not form a homogeneous group. Rather, this broad category included a wide variety of people ranging from learned theologians to school teachers and farmers. The Grundtvigian circles harboured many different views on politics, science—and Darwinism. What united them was their dedication to Grundtvig's theological and educational ideas, especially his emphasis on the Apostolic Creed as the cornerstone of Christianity and his vision of *Bildung*. The variety of opinions within Grundtvigianism was reflected in the widespread publishing activities. Often publications were based on lectures given at folk high schools and in village halls. These places of liberal education materialized the strong oral tradition embedded in the work of Grundtvig and his followers. However, the audience that could be reached by lectures had its limits. Normally, listeners at lectures could be counted in hundreds. In contrast, publications often reached thousands of readers, and they were thus of seminal importance for increasing the audience. Educational books were issued in large numbers, including at least four books on evolution in the period 1879–1915.²² However, while books were obviously important for influencing the opinions about Darwinism among Grundtvigians, the periodical press played a more crucial role. From 1845 to World War I, more than twenty Grundtvigian journals and magazines covering a wide variety of readers from Copenhagen theologians to the rural youth were introduced to the periodical market. Most of them were miscellanies containing information about the Grundtvigian movement, advertisements for schools, book reviews and articles on a wide range of topics. In line with Grundtvig's priorities, most contributions discussed theological, historical and literary issues, whereas the natural sciences did not have a prominent position. However, Darwinism was among the topics that were occasionally discussed.

²¹ L. Grane, "Det teologiske Fakultet 1830–1925," in *Københavns Universitet 1479–1979*, vol. V, ed. L. Grane (Copenhagen: Gad, 1980), 325–499; 369–74; 442–48.

²² J. N. L. Dalsgård, *Stenene råbe: Et Indlæg imod Nutidens vantro Naturbetragtning* (Copenhagen: Schønberg, 1879); H. P. H. Gjevnøe, *Fire Foredrag om Skabelsen* (Copenhagen: Frimodt, 1902); P. N. Petersen, *Udviklingen—Kristendommen* (Copenhagen: Kirkeligt Samfund, 1911); V. Bennike, *Livets Historie eller Kristelig Udviklingslære—Nogle Vink for Lærere og Opdragere* (Copenhagen: Schønberg, 1915).

Table 1: Analyzed Grundtvigian Periodicals

| | Period | Circulation | Affiliation | Locality |
|-------------------------------|-----------|--------------------|-------------------|------------|
| <i>Dansk Kirketidende</i> | 1845– | c. 1,000 weekly | Orthodox | Copenhagen |
| <i>For Idé og Virkelighed</i> | 1869–73 | c. 800 monthly | Rasmus Nielsen | Copenhagen |
| <i>Nordisk Maanedsskrift</i> | 1871–82 | c. 1,000 monthly | Orthodox | Askov |
| <i>Højskolebladet</i> | 1876– | c. 5,000 weekly | Open platform | Kolding |
| <i>Tidens Strøm</i> | 1884–95 | c. 1,000 weekly | Neo-Grundtvigian | Copenhagen |
| <i>Danskeren</i> | 1888–94 | c. 500 monthly | Orthodox | Askov |
| <i>Frit Vidnesbyrd</i> | 1893–1904 | c. 500 fortnightly | Neo-Grundtvigian | Copenhagen |
| <i>Folkelæsning</i> | 1901–19 | c. 5,000 weekly | Popular, orthodox | Copenhagen |

An analysis of eight Grundtvigian periodicals reveals a sophisticated debate on evolution and its religious consequences. The journals analyzed here range from highbrow theological monthlies to popular generalist weeklies. *Dansk Kirketidende* (*Danish Church News*) was launched by Grundtvig's later successor in the Vartov Church, C.J. Brandt, who served as its editor in 1845–61 and again in 1873–89. Grundtvig was a prolific contributor and the journal was from the outset the mouthpiece for theologians with Grundtvigian leanings. The main issue was theology in its broadest sense, but natural science was also discussed. Contributors often criticized what they regarded as materialist consequences of contemporary science. In this context, Darwinism was touched upon. Generally, the contributors were among the conservatives within Grundtvigian circles, and the readers were mainly clergymen. While supportive of a moderate liberal line with radicals to left and the conservatives to the right in party politics, *Dansk Kirketidende* remained conservative in theological matters. Hence, the journal was orthodox Grundtvigian in the sense that it defended both Grundtvig's traditional literalist interpretation of the Bible and his church view. This meant that it was hostile to biblical criticism questioning the historical accuracy of Scripture.²³

While *Dansk Kirketidende* remained an orthodox mouthpiece during the period under study, *Højskolebladet* (*The High School Magazine*) was launched in 1876 as a forum for more liberal voices, politically as well as theologically. This generalist magazine had a broader scope than the highbrow *Dansk Kirketidende*, and contained articles from all walks of life. The publisher and long-time editor (1876–95, 1901–8) Konrad Jørgensen envisioned the weekly as an organ for the folk high school movement. Significantly, *Højskolebladet* was not based in the capital, but in Kolding in

²³ C. Hermansen, "Dansk Kirketidende," *Vartovbogen* (1961): 15–22.

rural Jutland, close to the high-profile folk high school in Askov near the German border. While *Dansk Kirketidende* was univocal—that is strictly controlled by the editors who often contributed themselves and published other articles anonymously—*Højskolebladet* was an open platform publishing signed articles from both conservative and liberal contributors. Jørgensen was known for his tolerant attitudes toward all Grundtvigian opinions, and he did not write many articles himself. Critical voices thus criticized him for being “the man without face.”²⁴ In reality, however, *Højskolebladet* had an editorial line, primarily harbouring liberal voices, and it was often in conflict with *Dansk Kirketidende* on topics concerned with literary realism including naturalism and Darwinism. The most prolific contributor to *Højskolebladet* from the early 1880s to the 1920s was the theologian Valdemar Brücker, whose extremely liberal views on Scripture, morality and free thought generated much debate in the columns. Jørgensen and the editor from 1908 to 1958, Helge Skovmand, welcomed the controversial contributions from Brücker, both for ideological and pecuniary reasons. Thus Brücker’s articles played an important part in a rapid increase of subscribers from 1,800 in 1887 to around 5,000 in 1914.²⁵ No doubt, the popularity of *Højskolebladet* had much to do with the lively debates and the multivocal nature of the magazine.

Dansk Kirketidende and *Højskolebladet* were the most important and long-lasting Grundtvigian periodicals. However, several other publications were launched. The highbrow *For Idé og Virkelighed* (*For Idea and Reality*) was a Christian counterpart to Brandes’s mouthpiece *Nyt dansk Maanedsskrift* (*New Danish Monthly*) (1870–74) which advocated literary realism and scientific naturalism and published several enthusiastic articles on Darwin’s theory by J. P. Jacobsen, the translator of *Origin of Species* (1871–72) and *Descent of Man* (1874–75).²⁶ The editors of *For Idé og Virkelighed*, including the professor of philosophy Rasmus Nielsen, tried to make Grundtvig’s ideas acceptable in the elite circles of Copenhagen. However, neither the radical intelligentsia nor the conservative bourgeoisie took Grundtvig’s vision to heart. As it went, most readers turned out to be Grundtvigian clergymen, teachers, and farmers in rural Denmark. *For Idé og Virkelighed* carried primarily signed articles on educational politics, culture and reli-

²⁴ A. W. Berthelsen et al (eds.), *Levende ord i 130 år* (Copenhagen: FFD, 2006), 9.

²⁵ H. Skovmand, *Et hjem, en skole, et blad* (Copenhagen: Gyldendal, 1976), 72–86; Berthelsen, 11–14; Letter from H. Skovmand to A. P. Thyssen, February 1951, Rigsarkivet 10051, L75.

²⁶ P. C. Kjærgaard, N. H. Gregersen and H. H. Hjerimitslev, “Darwinizing the Danes 1860–1909,” in Engels and Glick: 146–55.

gion, but occasionally pieces on natural science including Darwinism appeared.²⁷

In the village of Askov a prominent folk high school had opened in 1865 and soon became a Grundtvigian flagship in rural Denmark. The headmaster Ludvig Schrøder, a theological candidate, was an acclaimed expert on Grundtvig's philosophy of history and a prolific writer in *Højskolebladet*. Politically he was a liberal, while his views on Christianity were conservative and orthodox. He did not concede to biblical criticism and remained faithful to Grundtvig's literalist interpretation of Scripture. Moreover, Schrøder was extremely critical of scientific naturalism, literary realism, and other ideas associated with Brandes such as Darwinism. Schrøder launched a number of journals including the highbrow *Nordisk Maanedsskrift* (*Nordic Monthly*) and the slightly more popular *Danskeren* (*The Dane*). These journals focused on the Grundtvigian core topics, history and literature, but they also carried a few articles on science. Darwinism was occasionally critically assessed in the Askov periodicals, which were important in defining attitudes toward controversial subjects such as evolution among Grundtvigians.

While the above-mentioned periodicals defined positions within main-line Grundtvigianism, the three publications discussed below represented extremes to the left and right of the Grundtvigian politico-theological spectrum. *Tidens Strøm* (*Contemporary Current*) and *Frit Vidnesbyrd* (*Free Testimony*), edited and written primarily by the theologian Morten Pontoppidan, were univocal partisan organs for the so-called neo-Grundtvigians. Politically as well as theologically they were the most liberal group within Grundtvigianism. They were strong supporters of the Liberal Party and were often more critical of fellow Christians than of freethinkers. Hence, the neo-Grundtvigians criticized the first generation of Grundtvigians including Schrøder in Askov for neglecting modern literature and science, and they opened the doors for both biblical criticism and Darwinism. Brücker was part of this intellectual movement and wrote several articles for *Tidens Strøm*. The neo-Grundtvigians were instrumental in popularizing German higher criticism and in advocating Darwinism. Pontoppidan's ultraliberal attitudes resulted in strained relations to orthodox Grundtvigians. In 1892, the preacher and *Dansk Kirketidende* editor from 1890 to 1903, J. H. Monrad, thus excluded him from the Eucharist at the Vartov

²⁷ A. P. Thyssen, *Den Nygrundtvigske Bevægelse I: 1870–1887* (Aarhus: Det Danske Forlag, 1957), 77–82.

Church. To Grundtvigians, Monrad's drastic action revealed the fragmentation of their movement into orthodox and neo-Grundtvigian camps.²⁸

Folkelæsning (*Literature for the People*) was at the far right of the Grundtvigian spectrum. This popular illustrated miscellany dedicated most of its space to short fiction, devotional pieces and educational articles, including a substantial number of articles on science. It was militantly orthodox, defending conservative values and traditional Lutheran faith against freethinkers and socialists. Through a wandering intellectual life, the editor Mads Jepsen was familiar with the prevailing cultural movements of his day. He had an evangelical background but turned to Brandesian free thought in the 1890s. When he launched the weekly in 1901, however, he had regained his Christian faith and now identified himself with the Grundtvigian camp. *Folkelæsning* thus harbored hagiographical articles on prominent Grundtvigians and many folk high school teachers contributed. Jepsen was also sympathetic to the Home Mission which he saw as an ally in his fierce polemics against the Brandes circle and neo-Grundtvigian modernists. According to one biographer, Jepsen's "attacks were put forth so often and with such vehemence that they were viewed by many people as morbidities."²⁹ However, this militant style appealed to many Christians with orthodox Grundtvigian or evangelical leanings as indicated by adverts for both Grundtvigian and evangelical schools at the back pages. As part of his univocal editorial strategy defending Christian faith against free thought, Jepsen published several anti-Darwinian articles. Indeed, Darwinism was by far the most prominent scientific issue in the columns.

ORTHODOX GRUNDTVIGIAN RESPONSES TO EVOLUTION

In *Dansk Kirketidende* for 1874 and 1877, Brandt published translations from German criticizing the materialist aspects of contemporary science in general and Darwinism in particular. These responses were directed against vocal freethinkers such as Brandes and Jacobsen who were inspired by Ernst Haeckel's anticlerical writings and advocated Darwinism as a world-view that should replace Christianity. The 1874 piece was a fragment of the

²⁸ Thyssen, *Nygrundtvigske*, 332–35; P.G. Lindhardt, *Morten Pontoppidan I: 1851–1893* (Aarhus: Universitetsforlaget, 1950), 114–24, 252–66.

²⁹ F. Nørgaard, "Mads Jepsen," in *Dansk Biografisk Leksikon*, vol. 7, ed. S.C. Bech (Copenhagen: Gyldendal, 1981): 348–49; 348.

Protestant theologian Theodor Christlieb's attack on naturalistic conceptions of man, while the article appearing in 1877 was written by Brandt, but based on the 1876 edition of the Catholic theologian Franz H. Reusch's work *Bibel und Natur* first published in 1862.³⁰ Brandt conceded that animals might have evolved through time and made it clear that transmutation of species did not contradict Genesis. However, he insisted that evolution could not occur by "blind chance," but needed "an eye of providence."³¹

Brandt then approached the controversial ape question. Drawing on the authority of the anthropologist Rudolf Virchow, the linguist Max Müller and the naturalist Jean Quatrefages, Brandt emphasized that man differed fundamentally from beasts due to language and spirituality. Brandt thus denied the simian origin of man. Furthermore he added that human evolution and the idea of progressive development of mankind from a savage beginning to modern Western civilization—a common notion among evolutionary anthropologists including Darwin—conflicted with the stories of the Bible and the religious myths of other peoples, all of which referred to a golden age at the beginning of history. The target of Brandt's attack on Darwinism was the German materialists Carl Vogt, Ernst Haeckel, and Ludwig Büchner. In spite of their evolutionary naturalism, Darwin and Thomas Huxley were reviewed more favourably than especially Haeckel, who was accused of possessing a "fanaticism of infidelity" which had to be confronted head-on by theologians. Brandt's conclusion was clear and uncompromising: "Most theologians and idealist philosophers consider Darwinism a theological and philosophical heresy from first to last and combat all connected investigations, since they are all of them impious and inane."³²

The articles on Darwinism in *Dansk Kirketidende* in the 1870s were framed within the context of materialism versus idealism. The focus was on human evolution, rejecting man's common ancestry with apes and emphasizing the uniqueness of man's spirituality. In *Dansk Kirketidende* Darwin's specific mechanism of natural selection and its challenge to natural theology and design were not the prime issues. Unlike their Anglican brethren, Danish Lutheranism in the nineteenth century did not embrace the idea of natural theology. Rather the reactions in *Dansk Kirketidende* demonstrate that the early Danish reception resemble the German case in which Darwinism

³⁰ Christlieb, "Kristendommen og Naturvidenskaben," *Dansk Kirketidende* (1874): 321–28; C. J. Brandt, "Darwinismen," *Dansk Kirketidende* (1877): 377–88; 409–15, 425–33.

³¹ Brandt, 387.

³² *Ibid.*, 383.

was seen in the context of materialism and monism and as a threat to morality and not primarily to design in nature.³³

Like *Dansk Kirketidende*, the Grundtvigians in Askov positioned themselves against Darwinism. While the commentators in *Dansk Kirketidende* primarily dealt with philosophical aspects of Darwinism, these rural debaters were primarily concerned with the relationship between Scripture and evolution. From 1880, one of the few university trained natural scientists within Grundtvigian ranks, the physicist Poul la Cour, occasionally addressed the controversial issue in public lectures and in articles. Schrøder, a biblical literalist in line with Grundtvig's philosophy of history, had employed la Cour in 1878 when the school upgraded its emphasis on natural science. La Cour was a devout Christian and he was seen by Schrøder as a much needed safeguard against positivism. While innovative in his historical teaching of science and in his work on wind turbines, la Cour's progressivism did not include evolutionary theories.³⁴ When in 1880 he was asked by Schrøder to review the apologetic work on evolutionary geology *Stenene råbe* (*The Rocks Cry Out*) by the clergyman J. N. L. Dalsgård for *Nordisk Maanedsskrift* la Cour took an orthodox stance. Dalsgård attempted to reconcile Scripture and geology by endorsing the so-called day-age theory, which suggested that the six days of creation should be interpreted as geological periods. La Cour criticized this and argued that the laws of nature were only introduced by God after He had put the rainbow on the sky as a sign of the covenant with Noah after the Flood. Hereby la Cour was able to uphold his literal reading of Genesis. Consequently, la Cour did not accept organic evolution, which he refused to teach in Askov. His rejection of evolution did not reveal any detailed knowledge of the topic. He had probably not studied Darwin's works at first hand, since the holdings at the comprehensive library in Askov did not contain Darwin's works before 1909. La Cour's dismissal of evolution, which he repeated in *Danskeren* in 1888 and in a lecture in 1892, did not pass unnoticed. He

³³ C. J. Brandt, "En Modstander af Darwinismen," *Dansk Kirketidende* 1877: 511–15; C. J. Brandt, "Darwinismen," *Dansk Kirketidende* (1877): 730–33; Kjærgaard, Gregersen and Hjermitzlev, 153–54; J. Brooke and G. Cantor, *Reconstructing Nature* (Edinburgh: T. and T. Clark, 1998), 141–75; Brooke, 296–303.

³⁴ H. C. Hansen, *Poul la Cour—grundtvigianer, opfinder og folkeoplyser* (Askov: Askov Højskoles Forlag, 1985), 112–15, 134–42; A. P. Thyssen, "Grundtvigianisme og naturvidenskab," *Jyske Samlinger* (1986): 271–89; H. Yde, *Det Grundtvigske i Martin Andersen Nexø's Liv* (Copenhagen: Vindrose, 1991), 272–97; H. Kragh, P. C. Kjærgaard, H. Nielsen and K. H. Nielsen, *Science in Denmark: A Thousand Year History* (Aarhus: Aarhus University Press, 2008), 367–69.

was criticized by Jungersen, who warned against attempts to harmonize science and Scripture. Jungersen saw a danger in applying the Bible in criticisms of science, and argued that the realm of theology should be restricted from studies of nature. It will become clear in the next section that Jungersen was not the only Grundtvigian to claim this separation of theology from science.³⁵

In 1890 the multivocal *Højskolebladet* engaged in the Darwinian debates by publishing an article critical of human evolution by the folk high school teacher Valdemar Bennike, who served at Vallekilde Folk High School from 1878 until his death in 1923. Following Grundtvigian idealism he insisted that spirit was the exclusive hallmark of man. He admitted, however, that body and soul were common features of man and animal. For Bennike spirit was associated with language and free will. He emphasized the difference in kind between man and ape, defining the habits and body of the ape as a “disgusting distortion” of man. Primitive man was not a connecting link between man and ape, but a “degradation of the original image of God.”³⁶ Bennike’s critical view on Darwinism was thus in line with *Dansk Kirketidende* and Askov attitudes.

While in the 1890s *Dansk Kirketidende* was mostly occupied with battling biblical criticism, after 1903 Darwinism became a popular topic as it had been in the 1870s. This was no coincidence. At the turn of the century it was discussed whether evolutionary theory should be part of the curriculum at secondary and high school levels, and a handful of popular pro-Darwinian works were published by anticlerical writers with radical or socialist sympathies.³⁷ Now edited by the moderate theologian J. P. Bang, *Dansk Kirketidende* harbored relatively liberal views on biblical criticism. This did not mean, however, that the anti-Darwinian position weakened. In 1904 Bang and the clergyman H. P. H. Gjevnø wrote critiques of the liberal theologian Eduard Geismar’s attempt to reinterpret Christianity in the light of evolution. While Bang dealt with theological issues in his article, Gjevnø attacked what he regarded as Geismar’s unnecessary surrender to Darwinism including human evolution. Drawing on the writings of the

³⁵ Dalsgård; P. la Cour, “‘Stenene råbe’ Et indlæg mod nutidens vantro naturbetragtning,” *Nordisk Maanedsskrift* 1 (1880): 81–122; P. la Cour: “Er Underlaget for Darwinismen sikkert?” *Danskeren* (1888): 67–82; “Et Foredrag af Poul la Cour,” *Folkelæsning* (1907–8): 757–59; F. Jungersen, “Om naturlovenes uforanderlighed,” *Nordisk Maanedsskrift* 2 (1880): 61–80.

³⁶ V. Bennike, “Menneske og Abe,” *Højskolebladet* (1890): 107–12; 112.

³⁷ Kjærgaard, Gregersen and Hjermitlev, 154.

Danish-German Jesuit high-school teacher and only Catholic debater of Darwinism in Denmark Amand Breitung, Gjevnøe denied any relationship between man and ape.³⁸

This line was followed by *Folkelæsning*. Jepsen frequently published articles, extracts from periodicals and book reviews criticizing Darwinism. In 1910, for example, Jepsen wrote a biographical article on Darwin, and supplemented it with a critique of anticlerical popularizers of evolution who sought to deprive the youth their childhood belief and thereby weaken their hopes and their moral sentiments.³⁹ Like the American creationists in the 1920s, the central issue for Jepsen was to protect children from what he regarded as atheistic consequences of Darwinism.⁴⁰ Hence, his campaign was directed against popular naturalistic works on Darwinism and the ape-theory which was seen by many Christians as the most problematic aspect of the theory of evolution. For his anti-Darwinian campaign, Jepsen employed Breitung, whose 1899 work *Abeteoriens Bankerot og vor populære Darwinisme* (*The Bankruptcy of the Ape-Theory and our popular Darwinism*) had made him famous among both naturalists and laypeople.⁴¹ In 1905 Breitung wrote a fierce review of the socialist science writer Vilhelm Rasmussen's widely circulated pro-Darwinian and anticlerical work *Verdensudviklingen* (*The Development of the World*). Breitung strongly opposed Rasmussen's view that the theory of evolution was in conflict with the Mosaic history of creation. According to Breitung, "the real results of science" could be fully integrated in the Genesis record. He warned parents against allowing their children to read Rasmussen's book since this heretic work would "make them doubt and take away their most valuable possession, their Christian faith."⁴²

In 1905–6, Breitung contributed with a series of articles criticizing Darwinian evolution. These articles were made into the inexpensive book *Udviklingslæren og Kristentroen* (*The Theory of Evolution and Christian*

³⁸ J. P. Bang, "Kristendom og Udvikling," *Dansk Kirketidende* (1904): 1–11, 33–42, 73–80; H. P. H. Gjevnøe, "Bibelen, Naturvidenskaben og Kristendommen," *Dansk Kirketidende* (1904): 489–93, 505–8, 531–35, 551–53, 565–69, 596–601, 617–22; E. Geismar, *Kristendom og Udvikling* (Copenhagen: Gad, 1903).

³⁹ M. Jepsen, "Darwin," *Folkelæsning* (1910–11): 120–21, 167–69; M. Jepsen, "Det glade Budskab," *Folkelæsning* (1910–11): 121–23.

⁴⁰ Numbers, *Creationists*, 51–68.

⁴¹ A. Breitung, *Abeteoriens Bankerot og vor populære Darwinisme* (Copenhagen: Høst and Søn, 1899).

⁴² A. Breitung, "Verdensudviklingen," *Folkelæsning* (1904–5): 308–310, 323–25, 339–41; 340–41. V. Rasmussen, *Verdensudviklingen* (Copenhagen: Nordisk Forlag, 1903–04).

Faith) which was advertized in *Folkelæsning* and sold out in 1912.⁴³ Thus Breitung's arguments reached a wide audience including many farmers and teachers with Grundtvigian leanings. Breitung advocated theistic, teleological, and Lamarckian views on evolution and parallel lines of descent which he interpreted as being in accordance with the history of creation as told in Genesis 1. This was a more orthodox position than the one defended by his fellow Catholic, the British anatomist St. George Jackson Mivart, in the last decades of the nineteenth century. Mivart accepted the evolution of the human body, while Breitung was more in line with the Vatican by denying any relationship between man and apes.⁴⁴ That being said, Breitung accepted a restricted form of evolution not unlike the Lamarckian and theistic evolutionism advocated by the professor of botany Eugen Warming at this time. In the 1870s, Warming was one of the first Danish naturalists to embrace evolution. However, after evolutionary theory had been integrated into university research and teaching during the last decades of the nineteenth century, he joined forces with evangelical students in Copenhagen in order to defend evangelical faith against Darwinism.⁴⁵

NEO-GRUNDTVIGIANS FACING DARWINISM

While the orthodox anti-Darwinian position was certainly strong from the 1870s to 1914, many pro-Darwinian arguments were also apparent in the Grundtvigian press. As early as July 1871—four months before the publication of the first part of Jacobsen's translation of *Origin*—a compromising response to the Darwinian challenge appeared in *Dansk Kirketidende*. By then the journal was edited by Niels Lindberg who was more theologically liberal than the orthodox Brandt. This meant that Lindberg was open to discussing the value of biblical criticism and Darwinism, ideas that were flatly rejected by Brandt. In 1867 Lindberg had explicitly distanced himself from a critical article on the ape-theory that he had translated.⁴⁶ In 1871 he

⁴³ A. Breitung, *Udviklingslæren og Kristentroen* (Copenhagen: Thomassen, 1905); A. Breitung in *Folkelæsning* (1904–5): 424–26, 536–38, 552–54, 700–703, 732–34, 781–83, 828–30, 845–48; (1905–6): 124–27, 153–54, 165–67, 182–83, 217–19, 234–35, 248–50, 265–67, 281–84, 294–95, 309–11; Adverts in *Folkelæsning* (1908–9): 230; (1912–13): 112.

⁴⁴ Brooke and Cantor, 255–62.

⁴⁵ H. H. Hjermitslev, "Danes commemorating Darwin: Apes and evolution at the 1909 anniversary," *Annals of Science* 67 (2010): 485–525.

⁴⁶ F. de Rougemont, "Mennesket og Aben eller den Nymodens Materialisme," *Dansk Kirketidende* (1867): 2–16, 19–24, 38–46, 68–77; 3.

then published an article by a contributor with the by-line "J. L." The writer reported recent polemics in the English high-church journal *The Guardian* in which Anglican theologians were discussing the relationship between Darwinism and Scripture. Generally, they agreed on rejecting Darwin's theory when applied to mankind, and many reservations to evolution were put forth. It was argued, for example, that the fossil record was better explained by Genesis than by the theory of evolution and that Darwinism was irreconcilable with Scripture and Christianity. The author of the article loyally summarised these orthodox Anglican views, but in the very last paragraph the narrative changed. He now made it clear that

In this country the case is different, since recent philosophy has shown that faith and knowledge are completely heterogeneous principles. Thus a view on nature that ends up denying creation has transgressed its field and violated the preserves of faith, just as a theology that wishes to answer a purely scientific question on the basis of biblical language has done it in the preserves of science.⁴⁷

The "recent philosophy" that the author hinted at was the work of Rasmus Nielsen, who built on Kierkegaard's critique of Christians trying to reach faith by human reason, and attacked Hegelian attempts to integrate philosophy, history and Christianity into a cultural synthesis that subordinated everything to one principle: for instance Spirit. Nielsen's work was well received by theologians with Grundtvigian sympathies as a middle road between conservative high-church orthodoxy and atheist free thought. Nielsen had occupied this mediating stance during two fierce controversies concerning faith and knowledge in 1849–50 and 1865–69.⁴⁸

In his 1873 piece "A Viewpoint Supporting Darwinism" published in *For Idé og Virkelighed*, Nielsen explicitly applied the distinction between faith and knowledge when discussing evolution. Nielsen argued:

It is clear that natural science in general is neither religious nor irreligious, neither heathen nor Christian, neither ethical nor unethical; it is what it alone can and should be: objective research. [. . .] If Darwin's method has scientific shortcomings, it will be corrected within science, and natural scientists are the only right-

⁴⁷ J. L., "Darwinismen," *Dansk Kirketidende* (1871): 457–60, 522–28; 528.

⁴⁸ C. H. Koch, *Den danske filosofis historie 1800–1880: Den danske idealisme* (Copenhagen: Gyldendal, 2004), 361–461; Thyssen, *Nygrundtvigske*, 71–84.

ful, competent judges. Whether it wins and loses in the battle has no influence on spiritual life. The religious concept of creation is not a concept of knowledge but a concept of faith.”⁴⁹

While knowledge was based on reason and empirical investigations, faith was founded on revelation and God’s will. For Nielsen it was an existential challenge for each individual to live with both aspects without dissolving this unbridgeable dualism. Nielsen’s distinction between faith and knowledge became instrumental in responses from liberal Grundtvigians to scientific ideas, such as Darwinism, which at first glance seemed to threaten Christian belief.

Brücker was the prime advocate of Nielsen’s ideas among Grundtvigians. He studied engineering at the Polytechnic College when in 1873 he heard Brandt preach in the Vartov Church. This experience resulted in a religious conversion and he decided to study theology. During his studies he joined Nielsen’s philosophy classes and a lecture series by Jungersen on Danish Protestantism. Their position became crucial for Brücker when he advocated for the separation model of science and religion. In 1880 he was admitted to the clergy, and from 1887 until his death in 1929, he was the reverend of a Grundtvigian congregation in the village of Aagaard near Kolding and Askov. He also managed a folk high school in the village from 1899 to 1922. From the 1880s, the label “neo-Grundtvigian” was used by conservative Grundtvigians to characterize the liberal views advocated by Brücker and the contributors to *Tidens Strøm*.⁵⁰

In 1884, *Tidens Strøm* contained a four-part article by Brücker on Nielsen. Here Brücker integrated in his theological views aspects taken from Nielsen and Grundtvig:

And in any case, it is a great relief to see that faith is autonomous, independent of science, that theological attempts to support faith by scientific arguments is nonsense, and that faith is perfectly self-contained, explains itself, and is based on its own principles. And it is accordance with Grundtvig’s ideas. When he pointed to the sacraments, he pointed to what *can* be believed; When R. Nielsen makes one abandon all Titanic attempts to believe the entire Bible,

⁴⁹ R. Nielsen, “Et Synspunkt for Darwinismen,” *For Idé og Virkelighed* (1873): 449–59; 457–59.

⁵⁰ A. P. Thyssen, “Valdemar Brückers Kampår,” *Højskolebladet* (1952): 525–29, 540–42; (1953): 20–22, 31–33, 44–45, 56–57, 68–69.

word for word, one is helped by Grundtvig to realize what you *can* and *should* believe.⁵¹

The central doctrine of Grundtvigian theology, Brücker emphasized, was the church view, while the Bible only played a secondary role. Brücker admitted that Grundtvig was unclear on this point since he interpreted Scripture literally and was critical towards scientific results that contradicted Genesis. However, Nielsen's fundamental distinction between faith and knowledge had made things clear and, according to Brücker, Grundtvigians should give up literalism and accept biblical criticism and modern science including Darwinism. For Brücker, Christianity was a matter of personal belief, not a matter of knowledge, dogmas or biblical texts. These modernist views, extensively advocated in *Højskolebladet* and *Tidens Strøm*, were well received among liberal Grundtvigians faced with modern science and Brandesian free thought.⁵²

Brücker took biblical criticism to heart. More specifically, he and other neo-Grundtvigians advocated the interpretations of the Pentateuch—including Genesis—by German scholars such as Julius Wellhausen, who had argued in his 1878 work *Geschichte Israels* that these holy books were based on four earlier sources and written several centuries after Moses' death.⁵³ Brücker outlined his liberal views on Scripture at a meeting at the folk high school Sagatun in Norway in 1886 where freethinkers were also invited. Here he claimed that Scripture should be read in the same way as any other book: Some of the contents were useful and some of it had to be dismissed. Genesis I, for example, could not be used as a description of how earth, man and animals were created. Instead he embraced the Darwinian explanation of the creation of species since "it provides such a grand view of things, provides such a simple and coherent system, integrates all phenomena into a single view."⁵⁴ For Brücker, Darwinism was a possibility, not a threat, because it could make Christians focus on the central aspects of faith. He saw the radical separation of science from religion as a chance to modernize and revitalize Christianity. His lecture was published in *Højskolebladet* and summarized in *Tidens Strøm* and several newspapers. It generated fierce criticism especially from Brandt and other contributors

⁵¹ V. Brücker, "Lidt om Rasmus Nielsen og hans Tanker," *Tidens Strøm* (1884–85): 69–72, 77–80, 85–88, 91–96; 95.

⁵² Brücker, "Lidt," 70, 93–95; Lindhardt, *Danske*, 229.

⁵³ J. Wellhausen, *Geschichte Israels*, vol. 1 (Berlin: Georg Reimer, 1878).

⁵⁴ V. Brücker, "Mit Foredrag paa Sagatun i August 1886," *Højskolebladet* (1887): 1555–63, 1608–15; 1559.

to *Dansk Kirketidende* who characterized his views as non-Grundtvigian and thereby advanced the fragmentation of the Grundtvigian movement.⁵⁵

In *Frit Vidnesbyrd* Pontoppidan echoed Brücker's positive assessment of Darwinism. In 1893 he gave a lecture at the Grundtvigian society *Studenterkredsen* in Copenhagen and published two articles that were supportive of evolution and argued that the theory did not exclude, but rather clarified, religious belief. Moreover he made a strong pro-Darwinian signal in 1891 when he hired the freethinker Jeppe Aakjær, who had been in open conflict with Schrøder and la Cour in Askov about Darwinism in 1888, to teach natural history from a Darwinian perspective at his short-lived folk high school in Copenhagen.⁵⁶

COMING TO TERMS WITH DARWIN

Evolution was generally accepted among liberal Grundtvigians during the first two decades of the twentieth century. The orthodox Schrøder and la Cour died in 1908, and folk high school leaders now discussed how to approach the topic. Prominent schools such as Askov, Ryslinge, Testrup, Vallekilde, Frederiksborg, and Grundtvig's High School were teaching their students versions of geological and biological evolution in lectures and in geography and natural history classes. In order to legitimize this, the headmasters often referred to Nielsen's distinction between faith and knowledge that was being popularized at this time, and moreover they distanced themselves from the naturalistic worldview advocated by radicals and socialists.⁵⁷

⁵⁵ A. Plenge, "Mødet paa Sagatun," *Tidens Strøm* (1885–86): 370–72, 379–80, 387–89; J. A. Dam, "Darwin og Bibelen," *Tidens Strøm* (1886–87): 62–63. See also V. Brücker, *Et Livssyn* (Kolding: Konrad Jørgensen, 1916); Thyssen, *Nygrundtvigske*, 384–96.

⁵⁶ M. Pontoppidan, "Fornuft og Sandhedserkendelse," *Frit Vidnesbyrd* (1893): 337–47; T. T. Munger, "Evolution og Kristentro," *Frit Vidnesbyrd* (1893): 263–68; Lindhardt, *Pontoppidan*, 241–66; O. Korsgaard, *Kampen om lyset* (Copenhagen: Gyldendal, 1997), 266–69.

⁵⁷ "Det femte Forhandlingsmøde af Højskolens og Landbrugsskolens Lærere og Lærereinder," *Højskolebladet* (1904): 1193–1220; "Mødet om Udviklingslæren i Skolen," *Højskolebladet* (1912): 1657–60; J. Appel, "Fremtidsopgaver for Askov udvidede Højskole," *Højskolebladet* (1908): 153–56; A. Poulsen, "Studentersamfundet og Højskolerne," *Højskolebladet* (1902): 833–40; V. Bennike, "Kristelig udviklingslære," *Højskolebladet* (1914): 257–66; A. K. K. Taarup, "Geologiens Betydning i Højskoleundervisningen," *Højskolebladet* (1905): 118–24; J. Appel, "Aandsvidenskab og Naturvidenskab," *Højskolebladet* (1902): 1377–80; J. Appel, "Videnskab og Kristendom," *Højskolebladet* (1902): 1441–44; P. A. Rosenberg, *Rasmus Nielsen—Nordens Filosof* (Copenhagen: Schønberg, 1903); Møller, 82; Yde, 284; Thyssen, "Grundtvigianisme," 282.

In April 1914 *Højskolebladet* put out a special issue on evolutionary theory. This editorial move signalled a clear pro-Darwinian and neo-Grundtvigian stance in line with the geologist Vilhelm Milthers, who had criticized Bennike's orthodox views in *Højskolebladet* one month earlier.⁵⁸ From August to November 1913, polemics about the teaching of evolution in public schools had filled the columns. Milthers and the Kierkegaard scholar Niels Teisen defended evolutionary theories, while the clergyman Axel Plenge strongly criticized the teaching of evolutionary biology, which he regarded as antagonistic to revealed religion and dangerous for children.⁵⁹ Editor Skovmand found it necessary to engage in the discussions, and in late 1913 he approached the geneticist Wilhelm Johannsen asking him to contribute with an article on the historical development and the contemporary status of the theory of evolution. Johannsen accepted the offer and delivered eight of the fourteen pages of the special issue. Altogether, the issue contained five informative articles on various aspects of evolutionary science. For example, Milthers wrote about Darwin's inspiration from Charles Lyell's uniformitarian geology, and the folk high school leader Eline Begtrup, who was known for her pro-evolutionary views, discussed Darwin's observations in the Galapagos.⁶⁰

Three weeks before the special issue, an article by Teisen was published. At this time Teisen was known for his writings on English philosophy and his translation of the theistic evolutionist Benjamin Kidd's *Social Evolution*.⁶¹ During the polemics with Plenge, Teisen had been asked by Skovmand to contribute with an article on evolution and faith.⁶² Following

⁵⁸ Bennike, "Kristelig"; V. Milthers, "En Bemærkning til Valdemar Bennikes Artikel 'Kristelig Udviklingslære,'" *Højskolebladet* (1914): 311–12.

⁵⁹ A. Plenge, "Den aabenbaringsfjendtlige Agitation i den offentlige Skole," *Højskolebladet* (1913): 1017–22, 1053–60, 1101–6; V. Milthers, "Udviklingslære—Kristendom," *Højskolebladet* (1913): 1155–58; N. Teisen, "Udviklingslære og Kristendom," *Højskolebladet* (1913): 1237–42; A. Plenge, "Udviklingslære – Kristendom," *Højskolebladet* (1913): 1257–60; A. Plenge, "Den videnskabelige Udviklingslære," *Højskolebladet* (1913): 1303–4; V. Milthers, "Udviklingslære og Kristendom," *Højskolebladet* (1913): 1325–28; A. Plenge, "Aabenbaringstroen og Udviklingslæren," *Højskolebladet* (1913): 1499–1504.

⁶⁰ Letters from W. Johannsen to H. Skovmand, December 11, 1913 and January 28, 1914, Rigsarkivet no. 10051: L31, L80; W. Johannsen, "Bemærkninger om Udviklingslæren," *Højskolebladet* (1914): 433–48; V. Milthers, "Udviklingstankens Gennembrud i Geologien," *Højskolebladet* (1914): 455–58; E. Begtrup, "Hvorledes bragtes Darwin ind paa sin Opdagelse," *Højskolebladet* (1914): 457–60; E. Begtrup, "Darwinisme," *Højskolebladet* (1909): 389–98.

⁶¹ B. Kidd, *Den Sociale Udvikling*, trans. N. Teisen (Copenhagen: Gad, 1900).

⁶² Letters from N. Teisen to H. Skovmand, October 20, November 10 and 27, 1913, Rigsarkivet no. 10051: L61.

the tradition of Nielsen, Teisen advocated the independence of science from religion. He referred to the German theologian Rudolf Otto, who argued for this radical separation, and explicitly warned against attempts to harmonize scientific results and the words of the Bible. Evolution had to be accepted as a valid and useful scientific hypothesis which, however, did not touch upon the origin of life or exclude a divine plan. Teisen emphasized that it was not degrading for man to descend from a lower species as long as evolution had not happened through a blind, purposeless process. Teisen struck a chord of reconciliation by proclaiming that “it is a great misunderstanding to think that the theory of evolution belongs to some loud mouthed materialistic-minded thinkers or natural philosophers.”⁶³

The special issue opened with Johannsen’s “Remarks on the Theory of Evolution.” Johannsen had been appointed professor of plant physiology at the University of Copenhagen in 1905 and was famous for having coined the term “gene” in 1909.⁶⁴ Thus, Skovmand had employed an authority within biology for the front-page article. Johannsen warned against what he called “false analogies” between biological and socio-cultural ideas.⁶⁵ He explicitly criticized sociological and political misuses of the Darwinian vocabulary of competition, adaptation and selection, and ridiculed religious debates blown up by “cheap popular science writers, philosophical dilettantes and worried Christians,” who had exaggerated the atheistic tendencies of Darwinism.⁶⁶ Johannsen’s attack was primarily directed against Rasmussen and other atheists whose polemical anti-religious books on evolution had caused a stir among many Christians.

Johannsen explained that whereas evolution was generally accepted, neither Darwinism nor Lamarckism could be maintained in the light of the new discipline of genetics established by biologists such as the Dutchman Hugo de Vries and Johannsen himself, whose experiments with pure lines of beans, published in 1903, had shown that the phenotypes did not influence the genotypes and that evolution did not occur by means of small variations as Darwin had thought. According to Johannsen, the only mechanism that geneticists could offer to evolutionists was mutation, the sudden appearance of new hereditary units, discovered by de Vries. In general, Johannsen conceded that the evolutionary directions and mechanisms were still puzzling. He thus informed the readers about the scientific problems

⁶³ N. Teisen: “Udviklingslære og Troen paa Gud,” *Højskolebladet* (1914): 337–44; 343–44.

⁶⁴ Kragh, Kjærgaard, Nielsen and Nielsen, 296.

⁶⁵ Johannsen, 439.

⁶⁶ *Ibid.*, 440.

facing Darwin's selection theory. He did not exclude the possibility of several independent lines of evolution, and opened up the evolutionary process to theistic interpretations.

Concluding the special edition, the readers were offered a bibliography on evolution and genetics. Among what was coined "tendentious or polemical" works, the socialist Rasmussen was listed alongside the Catholic anti-Darwinist Breitung. This is emblematic of the fact that *Højskolebladet* had found a compromise between radicalism and orthodoxy in its answer to the Darwinian challenge.⁶⁷

COMPARATIVE PERSPECTIVES

This article has identified two types of Grundtvigian responses to evolution. Orthodox literalists criticized organic evolution, while neo-Grundtvigians developed strategies for embracing Darwinism by advocating a specific Danish Protestantism. They exploited resources in Grundtvig's complex work by emphasizing his priority of the word to the letter and his church view focusing on the Apostolic Creed and the sacraments, and not the Bible, as the fundamental doctrines of Christianity. Thus the literalism of Grundtvig's philosophy of history was sidelined.

The dualist philosophy of Rasmus Nielsen was widely used by liberal Grundtvigians to legitimize the teaching of evolution. Nielsen's radical separation of science and faith made it possible for Grundtvigians to distance Darwin's scientific work from the worldview associated with German materialism and Brandesian freethinkers. In addition, the critical scientific discussions after 1900 about the role of Darwinian natural selection in the light of genetics made the theory of evolution look less threatening than it had done decades earlier. Therefore liberal Grundtvigians were able to come to terms with organic evolution around 1914.

While critical responses to evolution were also seen in America and Britain, the neo-Grundtvigian approach to Darwinism with its combination of Grundtvigian and Kierkegaardian theologies was a uniquely Danish phenomenon and demonstrates how specific doctrines within local theological contexts led to certain strategies for reconciliation. Grundtvigians were much more inclined to discuss and accept organic evolution than other mainline factions within the Danish Evangelical-Lutheran Established Church. This contrasts with the American case, in which there were no

⁶⁷ J. Rosenkjær, "Litteratur om Udviklingslæren," *Højskolebladet* (1914): 459–64; 462.

significant differences in the answers to Darwinism among mainstream Protestant denominations. Moreover, in contrast to denominations in Britain and America, for Grundtvigians the separation of science and religion into two distinctively different areas of human life was a prevalent approach when confronted with organic evolution. Danish Lutherans were not alone in emphasizing a fundamental distinction between science and faith. Lutherans in Finland developed similar strategies around 1900, and in Germany from the 1870s neo-Kantian theologians such as Wilhelm Herrmann drew on Immanuel Kant's critical philosophy in order to separate science from religion.⁶⁸ However, the separation model developed by neo-Grundtvigians had different intellectual origins than those appearing abroad. Thus Grundtvig, Kierkegaard and Nielsen, and not Kant, offered the rhetorical weapons needed in order to legitimize evolutionary thought.

Although they were not absent from discussions of Darwinism, Lamarckian and teleological interpretations of evolution, which were the typical ways in which liberal theologians in America and Britain responded to Darwinism, only played a minor role in Grundtvigian attempts to come to terms with organic evolution.⁶⁹ When evolution was occasionally connected to ideas of human progress, Darwin's theory could be linked to Grundtvig's idealist philosophy of history. In the words of the reverend P. N. Petersen, lecturing at the annual meeting for Grundtvigians in 1910: "Grundtvig's view on the history of the world is filled with the idea of evolution."⁷⁰

In line with Livingstone's emphasis on locality in the study of the reception of scientific ideas, the case of the Grundtvigians demonstrates that local contingencies made a crucial difference in mainline Protestant responses to Darwinism, and that the kinds of teleological evolutionism prominent in Anglo-American Protestantism around 1900 cannot be taken as the only liberal Protestant answer to the Darwinian challenge.

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⁶⁸ A. Leikola, "Darwinism in Finland" in Engels and Glick, 135–45; 141; F. Gregory, *Nature Lost: Natural Science and the German Theological Traditions of the Nineteenth Century* (Cambridge, Mass.: Harvard University Press, 1992), 27–29, 201–64.

⁶⁹ "Det femte," 1215; S. Alkærsig, "Udviklingslæren paa Højskolen," *Højskolebladet* (1904): 1373–76.

⁷⁰ Petersen, 4.



How Old Are Modern Rights? On the Lockean Roots of Contemporary Human Rights Discourse

S. Adam Seagrave

Arguing for the proper placement of John Locke's natural rights theory within intellectual history is a particularly high-stakes enterprise for historians of political thought and political theorists alike. This is due in large part to the fact that, as Brian Tierney notes in his recent study, it is "widely agreed that Locke's work was an important influence in the formation of modern liberal ideas, including ideas concerning rights."¹ Our understanding of Locke thus contributes to our reflective self-understanding as "modern liberals" (of one stripe or another) to an extent perhaps unequalled by any other thinker so far removed from our own time.

As a result of the rare promise of studying Locke's natural rights theory, there has been no shortage of scholarly attempts to determine its place in intellectual history on the basis of Locke's own writings and their relation both to preceding and subsequent traditions and modes of thought. Although John Dunn had argued in his influential study that Locke's political thought was too thoroughly steeped in theology to remain relevant in the contemporary context, this thesis has since been persuasively challenged (albeit in very different ways) by Simmons, Zuckert and Waldron, among others.² Each of these scholars has contributed to an emerging agreement

¹ Brian Tierney, "Historical Roots of Modern Rights: Before Locke and After," *Ave Maria Law Review* 3 (2005): 23–43, 25.

² John Dunn, *The Political Thought of John Locke* (Cambridge: Cambridge University Press, 1969); A. John Simmons, *The Lockean Theory of Rights* (Princeton: Princeton University Press, 1992); Simmons, *On the Edge of Anarchy: Locke, Consent, and the*

that the thread of Locke's natural rights theory may indeed be carried all the way up to current political and moral debates in some form or another. The precise length of this thread as it extends in the other historical direction has, however, remained a point of heated controversy. The scholarly literature on this issue may be broadly described in terms of a spectrum determined by two opposing emphases in understanding the relation of Locke's natural rights theory to its medieval predecessors: a continuity emphasis and a discontinuity emphasis.

On the discontinuity end of the spectrum stand those such as Michel Villey, Leo Strauss, C. B. Macpherson and, more recently, Michael Zuckert who argue for the existence of some sort of "Copernican moment" separating medieval natural rights theories from their modern counterparts.³ Whether this moment is identified with William of Ockham in the fourteenth century or Hobbes in the seventeenth century, these scholars tend to emphasize the distinctively "modern" character of Lockean natural rights theory and its significant departures from medieval modes of thought. According to many of the advocates of discontinuity, Lockean natural rights are not only "modern" in their political applications but also in their more profound meaning as foundations for morality, and particularly in their newly conceived relation to the concept of natural law.⁴

The continuity end of the spectrum is, perhaps, more variegated, including scholars such as Tuck, Tierney, Tully, Oakley, Nederman, Coleman, and Swanson, among others.⁵ Despite their many important differ-

Limits of Society (Princeton: Princeton University Press, 1993); Michael Zuckert, *Natural Rights and the New Republicanism* (Princeton: Princeton University Press, 1994); Zuckert, *Launching Liberalism: On Lockean Political Philosophy* (Lawrence: University Press of Kansas, 2002); Jeremy Waldron, *God, Locke, and Equality: Christian Foundations of John Locke's Political Thought* (Cambridge: Cambridge University Press, 2002).

³ Francis Oakley, *Natural Law, Laws of Nature, Natural Rights: Continuity and Discontinuity in the History of Ideas* (New York: Continuum, 2005), 87–109; Leo Strauss, *Natural Right and History* (Chicago: University of Chicago Press, 1953); C. B. Macpherson, *The Political Theory of Possessive Individualism* (Oxford: Clarendon Press, 1962); Zuckert, *Natural Rights*; Zuckert, *Launching Liberalism*.

⁴ See Strauss, *Natural Right*, 202–51; Zuckert, *Launching Liberalism*, 169–97.

⁵ Richard Tuck, *Natural Rights Theories: Their Origin and Development* (Cambridge: Cambridge University Press, 1979); Brian Tierney, *The Idea of Natural Rights: Studies on Natural Rights, Natural Law and Church Law 1150–1625* (Atlanta: Scholars Press, 1997); "Natural Law and Natural Rights: Old Problems and Recent Approaches," *The Review of Politics* 64 (2002): 389–406; Tierney, "Historical Roots"; Tierney, "Dominion of Self and Natural Rights Before Locke and After," in *Transformations in Medieval and Early-Modern Rights Discourse*, ed. V. Makinen and P. Korkman (Dordrecht: Springer, 2006); James Tully, *A Discourse on Property: John Locke and his adversaries* (Cambridge: Cambridge University Press, 1980); Tully, *An Approach to Political Philosophy: Locke in Contexts* (Cambridge: Cambridge University Press, 1993); Oakley, *Natural*

ences, these scholars each focus upon the similarities between various elements or strains of medieval thought and modern natural rights theories rather than the differences between them. Insofar as the scholars on this end of the spectrum explicitly consider Locke's natural rights theory, they tend to emphasize Locke's intellectual debt to various preceding traditions and thinkers rather than his innovations upon them. Building explicitly upon the work of Tuck, Tierney and Tully, Janet Coleman finds "some extraordinarily Lockean moments" in the medieval thinkers John of Paris and Godefroid of Fontaines, and argues that Locke ought to be understood as contributing to this medieval tradition of thought rather than departing from it.⁶ Scott Swanson, in turn, builds upon Coleman's scholarship in carefully connecting medieval understandings of the rights of subsistence and the principle of extreme necessity to Locke's natural rights theory. Swanson initially goes even further than Coleman in asserting that "all of Locke's celebrated doctrine is here [in John of Paris's writings] offered in a nutshell" before concluding on the more moderate note, echoed by Cary Nederman, that Locke's "application of natural rights of subsistence to politics" may indeed have been something "new under the sun."⁷

Brian Tierney, who has long been a prominent advocate for continuity with respect to the idea of natural rights, has recently attempted to bolster the case for strong continuity in a twofold manner: first, by articulating a conceptual framework defined by the interplay of the ideas of self-dominion and a permissive natural law that remains constant from the early medieval canonists to the present; and secondly, by employing a careful interpretation of John Locke's natural rights theory as the primary vehicle for transporting this framework from its medieval roots to modern times.⁸ Tierney's recent work along these lines represents an innovative and intriguing contribution to the continuity emphasis literature, and calls for a thoughtful

Law; Cary Nederman, "Review of Brian Tierney, *The Idea of Natural Rights and Rights, Law and Infallibility in Medieval Thought*," *The American Journal of Legal History* 42 (1998): 217–19; "Empire and the Historiography of European Political Thought: Marsiglio of Padua, Nicholas of Cusa, and the Medieval/Modern Divide," *Journal of the History of Ideas* 66 (2005): 1–15; Janet Coleman, "Dominium in Thirteenth and Fourteenth-Century Heirs: John of Paris and Locke," *Political Studies* 33 (1985): 73–100; Scott Swanson, "The Medieval Foundations of John Locke's Theory of Natural Rights: Rights of Subsistence and the Principle of Extreme Necessity," *History of Political Thought* 18 (1997): 399–458.

⁶ Coleman, "John of Paris and Locke," 82, 99–100.

⁷ Swanson, "Medieval Foundations," 418, 443; see Nederman, "Review of Brian Tierney," 218.

⁸ Tierney, "Natural Law and Natural Rights"; Tierney, "Historical Roots"; Tierney, "Dominion of Self."

response both from discontinuity advocates and from more moderate proponents of continuity. Although the importance of the first prong of Tierney's recent thesis (the self-dominion/permissive natural law framework) has indeed received scholarly attention, the second prong of his thesis (relating this framework to Locke's natural rights theory) has yet to elicit the focused and thorough response it merits.⁹

This article aims to provide such a response to both interrelated aspects of Tierney's recent work, and in so doing to lend support to the position of Tierney's primary targets on the discontinuity end of the spectrum. Tierney falls short of persuasively extending his historical continuity thesis for two related reasons, corresponding with the two parts of his overall argument: first, the self-dominion/permissive natural law framework neither explains the implicit basis of modern rights-claims nor offers a sound basis for such claims in itself; and second, the application of this framework to Locke's natural rights doctrine largely misses the significance of Locke's contribution to the historical development of rights theories. Although the historical roots of modern rights discourse may indeed extend beyond Locke, it is only with Locke's distinctive and transformative contribution that the idea of natural rights becomes clearly recognizable to the modern eye.

TIERNEY'S CONTINUITY ARGUMENT

Tierney's discussion of the permissive natural law and its ability to serve as "a ground of natural rights"¹⁰ is a promising line of thought that has substantial support in the historical record Tierney presents. The notion of permissive natural law, as Tierney conceives it, provides an intriguing means of mitigating the perceived incompatibility between natural law and natural (human) rights orientations. This apparent incompatibility, which Tierney associates in his recent work primarily with the "followers of Leo Strauss,"¹¹ is established by a pair of observations: natural law defines the morality of human actions on the basis of duties and obligations that are imposed on the individual from without, while natural rights define the morality of human actions on the basis of freedoms or liberties that spring

⁹ John M. Finnis, "Aquinas on ius and Hart on Rights: A Response to Tierney," *The Review of Politics* 64 (2002): 407–10; Douglas Kries, "In Defense of Fortin," *The Review of Politics* 64 (2002): 411–13; Michael Zuckert, "Response to Brian Tierney," *The Review of Politics* 64 (2002): 414–15.

¹⁰ Tierney, "Natural Law and Natural Rights," 400.

¹¹ Tierney, "Historical Roots," 24.

from within the individual himself. The traditional natural law perspective views individual morality as derivative from an ordered whole governed by a provident God; the natural rights perspective derives morality from the individual considered in relative isolation. These two perspectives, therefore, appear to reflect the obvious tension between heteronomy and autonomy; the former notion describes a moral framework common to the whole, while the latter asserts the “moral property of individuals . . . as individuals.”¹²

The great advantage and promise of the permissive natural law is that it seems able to accommodate both perspectives within a single coherent framework. Early medieval jurists and philosophers, according to Tierney, “used the idea of permissive law to carve out . . . a sphere of human freedom and autonomy within the realm of natural law itself.”¹³ From the observation that certain areas of human activity, such as the acquisition of private property,¹⁴ fall beyond any discernable command or prohibition of the natural law, these jurists and philosophers posited that the natural law generates *permissions* in addition to commands and prohibitions. With the addition of this function, the natural law comes to include a mechanism of self-limitation. Where the commands and prohibitions of the natural law end, a realm of human autonomy, licit self-dominion, and free choice begins.¹⁵

Tierney’s most important historical authorities for this doctrine are Vitoria and Suarez. In attempting to extract a teaching of individual subjective rights from Aquinas, Vitoria explained Aquinas’s statement that “law is the ground of right” by noting: “And so we use the word when we speak for we say . . . ‘I have a right,’ that is, it is permitted.”¹⁶ Suarez further defined the concept of permissive natural law to include an obligation on others to forbear from intruding on one’s permitted sphere. He also posited the crucial connection between permissive law and subjective rights by stating that the very permission of the law conferred a “positive faculty or license or right” on the individual.¹⁷

After tracing the parallel historical development of the ideas of permis-

¹² H. L. A. Hart, “Are There Any Natural Rights?” *The Philosophical Review* 64 (1955): 175–91, 182.

¹³ Tierney, “Historical Roots,” 38.

¹⁴ See Tierney, “Natural Law and Natural Rights,” 400 and “Historical Roots,” 38.

¹⁵ Tierney uses the terms “self-dominion,” “self-ownership,” “self-mastery,” “free choice,” “freedom,” and “autonomy” almost interchangeably throughout.

¹⁶ Tierney, “Historical Roots,” 39.

¹⁷ *Ibid.*

sive natural law and licit self-dominion, Tierney argues that these ideas remain the twin pillars of subjective rights in contemporary discourse. While this is relatively easy to establish in the case of self-dominion, the modern relevance of the permissive natural law is more difficult to discern since “the language of natural law is not fashionable nowadays.”¹⁸ Nevertheless, Tierney maintains that the idea of permissive natural law manifests itself in the modern opinion that “all rights are limited by law, either by civil law or by moral considerations inherent in the concept of the right itself.”¹⁹ From these reflections Tierney concludes that “the very existence of our modern culture of rights is not intelligible unless we pay some attention to the early history of the idea,”²⁰ and that “something still survives from an older tradition in the modern welter of rights and rights theories.”²¹

Upon careful examination of these conclusions in juxtaposition with Tierney’s stated purpose at the outset of his arguments, however, one detects an air of caution in the former which is conspicuously absent in the latter. Tierney initially characterizes his purpose in “Dominion of Self and Natural Rights Before Locke and After” as an attempt to “see modern doctrines of rights, not as *innovations* . . . but as the *final product* of a developing tradition of thought. . . .”²² Similarly, in “Historical Roots of Modern Rights,” Tierney introduces his argument by conceding that “the work of Hobbes represents an *aberration* from earlier ideas about natural rights and natural law,” but that “his ideas have little to do with modern ways of thinking about human rights.”²³ From these introductory statements Tierney’s purpose is clear: he will argue that modern rights discourse is not the result either of “innovation” upon or “aberration” from medieval rights discourse, i.e., that modern rights are neither *new* nor *different* from their medieval predecessors. Rather, modern rights are something like mature or adult medieval rights; they are the “final product” of a process involving a core idea and a “series of unforeseen contingent circumstances.”²⁴

Turning again to Tierney’s concluding remarks, the ambition of his purpose appears in both cases to have dissipated during the course of his arguments. If Tierney’s arguments are persuasive, and modern rights are

¹⁸ Ibid., 42.

¹⁹ Ibid.

²⁰ Tierney, “Dominion of Self,” 198.

²¹ Tierney, “Historical Roots,” 42.

²² Tierney, “Dominion of Self,” 173–74 (emphasis added).

²³ Tierney, “Historical Roots,” 25 (emphasis added).

²⁴ Tierney, “Dominion of Self,” 199.

nothing more than the “final product” of the historical process he describes, surely *much* attention to the early history of the idea of rights is warranted. Indeed, one might argue that Tierney’s opponents arrive at the medieval/modern disjunction as a result of merely paying “some” attention to the early history Tierney meticulously unearths. Similarly in the case of the second conclusion, the assertion that “something still survives” from the medieval tradition belies the force of Tierney’s stated purpose. If Tierney were fully persuaded by his own argument that the self-dominion/permissive natural law core of rights thinking provides a continuous historical thread extending from the twelfth century to the present, surely it would have been more accurate to conclude that the essential aspects of medieval rights are “alive and well” in contemporary rights theories. Tierney does not argue that modern rights contain well-concealed traces of their ancestry, but rather that (at the least) their similarities to medieval rights outweigh the differences between them. Indeed, the novelty of Tierney’s historical project lies precisely in the strength of his claim that the idea of natural rights has remained essentially the same (a combination of the ideas of self-dominion and permissive natural law) from the time of its initial development in the early medieval period to the present.

Why does Tierney hesitate in each of these versions of his thesis to conclude on the same controversial note with which he began? The answer to this question is suggested by a consideration of that which immediately precedes Tierney’s conclusions in each of the two essays. In “Dominion of Self and Natural Rights,” this consists in a discussion of the emergence of “purely secular doctrines of natural rights” in the age of Enlightenment.²⁵ Tierney’s brief treatment of this historical fact is both puzzling and inadequate: “. . . if one were writing a history of moral philosophy this would seem a most significant change; but, if one is interested primarily in the origin and development of the idea of natural rights, it is equally significant that the old rights persisted in a new secular garb . . . the old idea of natural rights seemed too valuable to discard. . . .”²⁶ The primary inadequacy of Tierney’s explanation lies in his understating characterization of religious doctrine as a superficial “garb” for the idea of natural rights (and by implication, according to Tierney’s analysis, also for the natural law). Although Tierney clearly requires such a characterization in order to assert the identity of the “old” and “new” rights, its accuracy remains questionable even on the basis of his own analysis. If the “old” rights were originally derived

²⁵ Ibid., 195–96.

²⁶ Ibid.

from (and therefore depended upon) the permissions of the natural law, while the medieval understanding of natural law in turn depended upon the existence of the Divine Lawgiver, it is clear that the religious element constituted an integral component of the “old idea of natural rights.” Belief in (or knowledge of) God was therefore not merely compatible with the old idea of rights but rather *essential* to it. Having to some extent set aside the idea of a legislating God (since this appeared to fall beyond the scope of unaided human reason), the Enlightenment philosophers could not avoid altering (or discarding) the idea of the natural law.²⁷ Having altered the idea of the natural law, they could not avoid altering the idea of natural rights. Thus while the word “rights” indeed persisted in a new secular garb, the idea answering to it necessarily underwent a significant transformation.

In “Historical Roots of Modern Rights,” Tierney’s conclusion is immediately preceded by his attempt to discover the idea of permissive natural law in contemporary rights discourse. In this connection Tierney asserts that “it is still generally agreed that all rights are limited by law, either by civil law or by moral considerations inherent in the concept of the right itself.”²⁸ Tierney cites Nozick as an example of the persistence of permissive natural law since “he treated rights as constraints on behavior because they limit the ways we can act toward other right-bearers.”²⁹ These considerations, far from establishing the continued survival of the idea of permissive natural law, clearly indicate its irrelevance to modern ideas of rights.

Of the two candidates Tierney offers for evidence of a permissive natural law, the “civil law” is clearly not natural (since it is made by human beings) and “moral considerations inherent in the concept of the right itself” do not have the character of law. In order for a “law” to exist in any sense beyond the merely metaphorical, it must have its source in a legitimate superior.³⁰ Among human rights-bearers simply *as* rights-bearers, a state of equality subsists which excludes the possibility that genuine law could arise between them. The constraints on behavior included within the idea of human rights itself result from the coexistence of a number of rights-bearing individuals each of whom must logically recognize the existence of similar rights in the others. The moral considerations employed by such

²⁷ See Thomas Hobbes, *Leviathan*, ed. Edwin Curley (Indianapolis, Ind.: Hackett, 1994), 1: xiv, 1: xv.36–41; John Locke, *Questions Concerning the Law of Nature*, ed. and trans. Robert Horwitz, Jenny Strauss Clay, and Diskin Clay (Ithaca, N.Y.: Cornell University Press, 1990).

²⁸ Tierney, “Historical Roots,” 42.

²⁹ *Ibid.*

³⁰ See Locke’s definition of and conditions for law in the *Questions*.

individuals thus result simply from the demands of logical consistency, and do not in themselves imply the subordination to a superior included in the notion of law. The “concept of the right itself,” therefore, while it may impose moral constraints on behavior, is incapable of giving rise to a genuine law. Tierney here reveals, apparently unwittingly, the characteristically modern orientation towards law and rights in contemporary discourse. This orientation consists in a clear disjunction between the two corresponding to the distinction between the “civil” and the “natural”; modern rights seem to have followed the path of the Hobbesian “aberration” rather than the well-trodden thoroughfare of rights thinking traced by Tierney.³¹

SELF-DOMINION, PERMISSIVE NATURAL LAW, AND MODERN RIGHTS

The difficulties Tierney encounters in finally connecting modern rights to their medieval predecessors are not merely accidental; rather, they indicate the ultimate failure of his self-dominion/permissive natural law framework to either reveal the basis of modern rights-claims or provide a viable basis for rights-oriented theories in itself. The reason for this failure is, in short, that human rights are no longer premised on the existence of a natural law or its source in a divine legislator. The idea of self-dominion or self-ownership, and the ground of human autonomy which underlies it, is thus conceived to stand on its own rather than depend on a self-limiting natural law.

The medieval jurists and philosophers who constructed an idea of subjective rights by joining a permissive natural law with a concept of self-dominion all appear to share two important characteristics: a preexisting commitment to the natural law, and a basic attachment to the Christian faith. The Christian God provided a stable foundation for the natural law, and the limits of the natural law provided a foundation for the notion of subjective rights. On this account, the moral force of the realm of autonomy and subjective rights is entirely borrowed or derivative from the obligations of forbearance implied by a permissive natural law. Because some action is permitted to Y by law, X is prohibited from hindering this action; because X is prohibited from hindering this action, Y “has a right” to engage in it. Since the natural law is prior to subjective rights, the direction of moral

³¹ See Tierney’s detailed discussion of the Hobbesian line in “Natural Law and Natural Rights,” 395–99.

reasoning properly proceeds from X's natural law duty to Y's claim to immunity from interference, and not the other way around. Y's action is, considered in itself and apart from the possibility of interference, devoid of the moral content implied by the exercise of a subjective right. In hindering Y's ability to act, X has not infringed on Y's moral power but rather departed from his own as defined by law.

The framework of permissive natural law and licit self-dominion that Tierney finds in his medieval sources thus enables a subjective consideration of objective right without expressing subjective rights in the full sense. In the former case, to "have a right" is taken in a loose rather than a strict or literal sense; one does not actually *possess* within himself the moral force of his actions (his "rights") but rather possesses the approval of a standard that measures both himself and others. In this sense to "have a right" means nothing more than to be the beneficiary of a just or lawful distribution or transaction, just as to "wake up and smell the roses" means to become aware of something obvious. Subjective rights in the full sense, on the other hand, include a strict understanding of rights-possessing individuals. The individual is in fact a source and measure of morality by virtue of her own existence and actions; the moral claims which such rights engender may be made without reference to any standard outside the individual. These rights are subjective "in the full sense" because their existence is coextensive with the existence of the individual, the former proceeding from the latter independently of external (objective) moral standards.

It is only by neglecting to make this distinction, or arguing that it is not meaningful, that a permissive natural law may truly be said to ground the notion of subjective rights. The reason for this is simply that the natural law, at least in its traditional form and as it is represented within Tierney's historical narrative, is conceived to have an objective existence beyond that of any particular individual. Although the natural law may attain a concrete and particular existence by virtue of its application to an individual circumstance and its perception by an individual subject, it does not thereby relinquish its objective character. The objective moral standard that the natural law provides thus admits of a certain mode of subjectivity, but is incapable of engendering subjective rights in the full sense. If subjective rights are to partake of a strict or more literal meaning, as they undoubtedly do in many modern contexts, a permissive natural law does not in itself suffice for their explanation.

In order for Tierney's permissive natural law to give rise to fully subjective rights, one must argue either that the individual subject is the ultimate

source of the natural law or that the natural law itself has been transferred from its original source to the individual subject. Neither of these arguments, however, is present in Tierney's historical account. Without the aid of such arguments, a permissive natural law may indeed delimit an intriguing "ground" for subjective rights (i.e., leave room for their emergence) without itself "grounding" them (i.e., explaining their existence).³² Although Tierney's medieval sources were indeed aware of the individual subject, they still considered this subject primarily in terms of the thick objective context provided by the natural law. While the individual could have her own perspective on this objective context, and thereby have subjective rights in a loose sense, she could not yet consider herself sufficiently apart from objective morality to recognize the possession of subjective rights in the full or strict sense.

The medieval rights Tierney describes, therefore, are in fact little more than reflexes of the natural law duties of others. Suarez's assertion that the permissive natural law confers "a positive faculty or license or right" does not go beyond Vitoria's definition of "a right" as a kind of shorthand for expressing the more accurate statement, "it is permitted."³³ This particular view of rights discourse is not, moreover, confined to medieval philosophers. In the modern literature a similar phenomenon persists; to the extent that the natural law is conceived as the basis for subjective rights, these rights are generally relegated to the status of linguistic "instrument[s] for sorting out and expressing the demands of justice."³⁴ If rights are derivative from, or "carved out" of, the natural law, they relinquish the character of "independent moral insights"³⁵ and become simple correlatives of natural law duties. The general force of Bentham's argument for the irrelevance of subjective rights, with which Tuck introduces his pioneering historical work, is not answered by Tierney's permissive natural law.³⁶

Tierney himself indicates in the concluding remarks of "Natural Law and Natural Rights" that he is aware of the potential force of these arguments. Tierney admits that "Permissive natural law does not exactly confer rights on human persons; rather it defines an area within which their inherent power of free choice can licitly be exercised."³⁷ The actual conferral of

³² Tierney, "Natural Law and Natural Rights," 405.

³³ Tierney, "Historical Roots," 39.

³⁴ John Finnis, *Natural Law and Natural Rights* (Oxford: Oxford University Press, 1980), 210.

³⁵ Tuck, *Natural Rights Theories*, 1.

³⁶ Ibid.

³⁷ Tierney, "Natural Law and Natural Rights," 405.

rights must somehow be conceived to occur *within* the area of free choice itself, independently of the natural law, in order for subjective rights to emerge out of the shadow of natural law duties.³⁸ Tierney helpfully hypothesizes that while permissive natural law “allows” for subjective rights, “self-ownership justifies” them.³⁹

This last point, that a meaningful concept of subjective rights may be justified independently of law, coheres with much of modern discourse. The recent analysis of another eminent historian asserts that “. . . already in the seventeenth century the process, it seems, had begun . . . whereby this notion of individual rights eventually escaped its lingering subordination to the objective moral constraints of natural law to become itself morally foundational. . . .”⁴⁰ The “foundational” character of modern subjective rights is clearly reflected in the extremely influential work of both Rawls and Nozick, whom Tierney unsuccessfully attempts to recruit into the permissive natural law fold.

In the case of Rawls, the priority of rights or “liberties” is established by the “lexical order” among his famous two principles of justice. The first principle asserts that “each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others.”⁴¹ The formulation of this principle and its priority to the second principle reflects the “absolute weight of liberty”⁴² in the moral regulation of human society. The foundation of Rawls’s theory consists in the assumption of an indefinitely extensive “right to liberty” of the individual; this indefinite right is subsequently limited not by natural law but by its coexistence with the indefinite rights of other individuals. Rawls’s purpose in *A Theory of Justice* was, moreover, simply to “show that the theory proposed matches the fixed points of our considered convictions better than other familiar doctrines.”⁴³ One of these “fixed points” consists in “feelings about the primacy of justice” with respect to “comprehensive doctrines” of the good.⁴⁴ Since natural law doctrines are teleological and perfectionist in character, explicitly directive towards the good, Rawls clearly indicates that “our con-

³⁸ This point is emphasized by Michael Zuckert in his “Response to Brian Tierney.”

³⁹ Tierney, “Natural Law and Natural Rights,” 418.

⁴⁰ Oakley, *Natural Law*, 109.

⁴¹ John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), 60.

⁴² *Ibid.*, 63.

⁴³ *Ibid.*, 579–80.

⁴⁴ *Ibid.*, 586.

sidered convictions” place individual liberty (or subjective rights) rather than the natural law at the basis of moral considerations.

Nozick’s *Anarchy, State, and Utopia*, despite its harsh criticism of Rawls, similarly posits that “the rights of others determine the constraints upon [one’s] actions.”⁴⁵ Nozick is clear that these constraints are “side constraints” issuing from the Kantian principle that “individuals are inviolable,” and not constraints following from the goals of an externally imposed law.⁴⁶ Natural law, even of the self-limiting variety, directs individuals towards some “social good” which justly limits their autonomy and freedom of choice.⁴⁷ The “root idea” of modern morality, however, is that “there are different individuals with separate lives and so no one may be sacrificed for others;”⁴⁸ the moral power, or subjective right, of the individual is clearly prior to and independent of any notion of natural law.

In the more recent work of Michael Zuckert, one encounters a similar insistence on deciding the “foundational problem” in favor of natural rights rather than natural law.⁴⁹ The “claim of exclusivity” implied by a conception of rights as the moral property of the individual “does not derive from some preexisting duty, natural or otherwise, but it does imply a subsequent duty . . . of forbearance.”⁵⁰ This formulation turns Tierney’s account on its head by asserting that the “duty of forbearance” follows from the possession of rights rather than the permission of the natural law. Those who view rights as “fictions,” among whom are not only its dedicated enemies but also those who would relegate subjective rights to the status of mere idioms, are “much at odds with settled moral convictions of contemporary Westerners.”⁵¹

Although it would be possible to belabor this general point with legal analysis or an examination of popular political discourse, the foregoing examples, coupled with Tierney’s own misgivings, suffice for the purposes of this article. Two points seem clear: first, medieval rights of the sort Tierney describes are not *rights* in the full or strict sense of individual moral powers with their own justificatory bases; and secondly, modern rights are treated as meaningful in this way precisely because they are viewed apart from a natural law framework or a legislating God.

⁴⁵ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 29.

⁴⁶ *Ibid.*, 30–31.

⁴⁷ *Ibid.*, 33.

⁴⁸ *Ibid.*

⁴⁹ Zuckert, *Launching Liberalism*, 175.

⁵⁰ *Ibid.*, 196.

⁵¹ *Ibid.*, 333.

This indicates that a significant transformation in rights thinking does in fact mark the transition from the medieval to the modern periods.⁵² It is a testament to Tierney's historical acumen that he locates the two crucial features of this transformation: the emancipation of moral foundations from religious doctrines, and the emergence of the idea of self-dominion or self-ownership as an independent justificatory basis for subjective rights. Tierney's focus on Locke is also appropriate, but mishandled; for it is in Locke's political philosophy that this transformation finds its definitive articulation. In correcting the "aberration" of Hobbes, Locke does not simply facilitate the safe passage of medieval rights into modern discourse. Locke accepts the most general outlines of Hobbes's critique of traditional political philosophy but attempts to provide what Hobbes could not: a new moral foundation to replace the old.

LOCKEAN RIGHTS: DIVINE VS. HUMAN WORKMANSHIP

The difficulties involved in interpreting the notoriously "cautious" writings of Locke have been well-documented and are abundantly evidenced by the variety of often-contradictory positions which have been persuasively attributed to him.⁵³ It may be helpful, then, to begin this discussion on a relatively uncontroversial note by asserting that the idea of "property" is of great importance to Locke's political teaching in the *Second Treatise*. The controversy ensues when one attempts to discern precisely how Locke understands property, what relationship this concept possesses to natural rights and the law of nature, and especially how divine ownership and self-ownership coexist in his thought.

Tierney's interpretation of the Lockean rights theory is motivated by his attempt "to contest the view that Locke's doctrine of natural rights should be seen as an aberration from an older and sounder teaching on natural law."⁵⁴ Tierney associates this view with Michael Zuckert, who claims that Locke's doctrine of self-ownership "points toward his break

⁵² This conclusion echoes, but in significantly different tones, the understanding of the "medieval/modern divide" advanced by a handful of historians such as Cary Nederman in critiquing Tierney's thesis.

⁵³ See Paul E. Sigmund, "Jeremy Waldron and the Religious Turn in Locke Scholarship," *The Review of Politics* 67 (2005): 407–18; as well as Zuckert, *Launching Liberalism*, 25–56.

⁵⁴ Tierney, "Historical Roots," 23.

with the entire premodern tradition.”⁵⁵ On Zuckert’s controversial interpretation, Locke’s account of the divine ownership of human beings in his “workmanship argument”⁵⁶ is subsequently undermined and eventually overshadowed by a novel doctrine of human self-ownership which grounds subjective rights.⁵⁷ This interpretation emphasizes an apparent disjunction between the two forms of ownership in Locke’s thought which highlights his break with the preceding tradition.

The crux of Tierney’s attempted refutation of Zuckert’s reading is, accordingly, an argument for the compatibility of divine ownership and self-ownership in Locke’s thought. Following Simmons’s interpretation, Tierney argues that “Locke conceived of ownership of self . . . as a sort of trust from God.”⁵⁸ Locke simply adopts the “standard medieval doctrine,” the very same one expressed by Aquinas, by asserting that “In respect of God, the Maker of Heaven and Earth, who is sole Lord and Proprietor of the whole World Man’s Propriety in the Creatures is nothing but that *Liberty to use them*, which God has permitted. . . .”⁵⁹ According to Tierney, Locke follows the centuries-old distinction of the jurists between *dominium directum*, ultimate ownership, and *dominium utile*, ownership of use.⁶⁰ Although human beings are ultimately God’s property, they are also their own property in a derivative or secondary sense. This distinction closely parallels the interplay between self-dominion and the permissive natural law. In their capacity as self-owners, human beings possess a measure of autonomy and licit freedom of choice; insofar as they are God’s property, human beings are under “God’s law” (i.e. a permissive natural law) and the duties which it imposes on them.⁶¹ Just as self-dominion and subjective rights derive from the limits of a permissive natural law, so self-ownership derives from God’s generous grant of “self-use” to human beings.

As promising as this account may seem, Tierney’s argument conspicu-

⁵⁵ Zuckert, *Natural Rights and the New Republicanism*, 276 (quoted in Tierney, “Historical Roots,” 32).

⁵⁶ John Locke, *Two Treatises of Government*, ed. P. Laslett (Cambridge: Cambridge University Press, 1988), 2: 6.

⁵⁷ Zuckert, *Natural Rights*, 247–88; Zuckert, *Launching Liberalism*, 187–97. Zuckert’s interpretation is in stark disagreement both with that provided by John Dunn in *The Political Thought of John Locke* as well as the recent work of Jeremy Waldron in *God, Locke, and Equality*.

⁵⁸ Tierney, “Historical Roots,” 32. See Simmons, *The Lockean Theory of Rights*.

⁵⁹ Locke, *Two Treatises*, 1: 39 (quoted in Tierney, “Dominion of Self,” 177).

⁶⁰ This distinction possesses interesting similarities with James Tully’s distinction between “exclusive” and “inclusive” property rights in *A Discourse on Property*, 60–61.

⁶¹ Tierney, “Dominion of Self,” 178.

ously lacks a thorough discussion of Locke's concept of property in the *Second Treatise*. Such a discussion reveals that Locke's doctrine of property may be fruitfully conceived as an exposition and comparison of two forms of "workmanship": divine and human. By viewing Locke's doctrine through the "workmanship" lens, a relationship between divine and self-ownership emerges which reveals the distinctively modern orientation of Lockean rights theory.⁶²

Locke begins his explicit discussion of property by stating that it is clear from both reason and revelation that "God . . . *has given the earth to the children of men*; given it to mankind in common."⁶³ This "common" earth, given to men by God, is evidently the product of God's workmanship or labor. The central question of the chapter then arises, namely, ". . . how men might come to have a property in several parts of that which God gave to mankind in common, and that without any express compact of all the commoners."⁶⁴ Locke's answer to this question begins with the statement that although the earth is "given to men for the support and comfort of their being . . . there must of necessity be *a means to appropriate* them some way or other, before they can be of any use, or at all beneficial to any particular man."⁶⁵ Before the end of the second section of Locke's discussion of property, the reader already encounters a subtle yet surprising suggestion: the product of God's workmanship is not in itself "of any use" or "at all beneficial" to individual human beings. If individual property consists in nothing other than a "*Liberty to use*" the things of the earth or a "trust from God," and if the things of the earth are in themselves useless, a contradiction or incongruity emerges: God has generously granted to human beings a liberty to use (a *dominium utile* in) that which is useless. Locke begins his discussion of property with a kind of *reductio ad absurdum*, concluding with a God-given liberty to use the useless, in order to more clearly indicate the precise object of his search: the natural transition from the given commons to individual property.

It is at this early juncture that Locke introduces the first explicit version of his self-ownership doctrine: "Though all the earth, and all inferior creatures, be common to all men, yet every man has a *property* in his own

⁶² This focus on the concept of "workmanship" recalls Waldron's analysis of Locke's *Second Treatise*, but the interpretation to follow diverges widely from that offered by Waldron.

⁶³ Locke, *Two Treatises*, 2: 25.

⁶⁴ Ibid.

⁶⁵ Ibid., 2: 26.

person: this no body has any right to but himself.”⁶⁶ This assertion begins an extended discussion of the way in which human labor engenders a “private right” of the individual in the things of the earth. The precise manner in which Locke repeatedly describes the process of individual appropriation merits close attention. By human labor a given object is “removed from the common state nature hath placed it in, it hath by this *labour* something annexed to it, that excludes the common right of other men. . . .”⁶⁷ Again, “His *labour* hath taken it out of the hands of nature, where it was common . . . and *hath* thereby *appropriated* it to himself.”⁶⁸ Yet again, “whoever has employed so much *labour* about any of that kind . . . has thereby removed her from the state of nature wherein she was common, and hath *begun a property*.”⁶⁹ Finally, “Now of those good things which nature hath provided in common . . . every one had a right to . . . all that his *industry* could extend to, to alter from the state nature had put it in.”⁷⁰

These similar formulations are all intended to answer Locke’s initial question by explaining how human “labour,” rather than “compact,” grants a title to exclusive property. In order to serve as a meaningful answer, human labor must obviously result in more than the mere fact of possession. In Locke’s terms, by labor an object given by nature has “something annexed to it” which makes it one’s own. The process of appropriation not only “removes” an object from its given state but “alters” it; the appropriated object becomes *something other than* what it is in the natural state. The simplest act of appropriation transforms a given external object into a “part”⁷¹ of the individual person by being assigned a definite and conscious personal purpose.⁷² Contrary to a common understanding of Locke’s mechanism of labor, it is not merely the physical act of labor but rather this extension of self-consciousness to an external object that begins a title to private property. Thus “my apple” differs from “the apple” insofar as it now has a purpose annexed to it that relates to my happiness broadly understood. My self-consciousness is concerned for “my apple” in a way that it is not concerned for other apples; this particular object is now a component of my self-consciousness by virtue of the purposeful action of

⁶⁶ Locke, *Two Treatises*, 2: 27.

⁶⁷ *Ibid.*, 2: 27.

⁶⁸ *Ibid.*, 2: 29.

⁶⁹ *Ibid.*, 2: 30.

⁷⁰ *Ibid.*, 2: 46.

⁷¹ *Ibid.*, 2: 26.

⁷² Cf. Simmons, *The Lockean Theory of Rights*, 273–74.

appropriation.⁷³ The “bird in the hand” is the immediate product of self-conscious human labor, the “bird in the bush” is the product of God’s labor, and the two birds are vastly different from each other.

Locke thus establishes human beings as “workmen” themselves⁷⁴; human beings do not simply *use* what is provided by nature or the divine workman, but rather *produce* “things that were never in the world”⁷⁵ by their own labor. The explanatory power of the divine “trust” or derivative *dominium utile* extends only to the “given,” “common” state of the earth and establishes only a “common right” of mankind; Locke, however, is primarily interested in explaining the origin of “private rights” of individual human beings. After rejecting the “compact” explanation, Locke can only answer his initial question and provide a persuasive account of private property by invoking the right of the workman in his product. In order for individual human labor to generate a right to private property which differs from the mere fact of possession, this labor must, like God’s original labor, have the creative character of “workmanship.”

Locke’s discussion of property is, therefore, essentially concerned with the relationship between two kinds of workmanship: human and divine. The most striking characteristic of this relationship consists in the obvious asymmetry of value between the objects produced by each. Elaborating upon the suggestion that the “given” earth is “not of any use,” Locke repeatedly contrasts the original “penury” of the state of nature with the valuable effects of human labor. The “given,” “common” products of divine workmanship are described as “waste,” “little more than nothing,” and “almost worthless materials.”⁷⁶ Human workmanship, on the other hand, “makes the far greatest part of the value of things we enjoy in this world.”⁷⁷ Locke emphasizes this point by frequently attempting to express the ratio of value between the products of divine and human workmanship in mathematical terms. Twice Locke sets this ratio at ten-to-one in favor of human workmanship before immediately increasing it to one-hundred-to-one.⁷⁸ By the end of Locke’s discussion, this ratio balloons to one-thousand-to-one.⁷⁹

⁷³ See John Locke, *An Essay Concerning Human Understanding* (New York: Penguin Books, 1995), 2: xxvii.10–11.

⁷⁴ Locke, *Two Treatises*, 2: 43. Cf. Tully, *A Discourse*, 104–24.

⁷⁵ Zuckert, *Natural Rights*, 164.

⁷⁶ Locke, *Two Treatises*, 2: 37, 42, 43.

⁷⁷ *Ibid.*, 2: 42.

⁷⁸ *Ibid.*, 2: 37, 40.

⁷⁹ *Ibid.*, 2: 43.

Having begun his discussion of property by describing the products of God's workmanship, or the original divine "trust" of the common earth, Locke progressively denigrates the worth and importance of this original grant in relation to the products of human workmanship. This relation, in mathematical terms invited by Locke's discussion, is not linear but exponential; the value of the products of divine workmanship approaches zero as that of the products of human workmanship approaches infinity. The cautious element of Locke's account of private property lies in his reluctance to emphasize the fact that the "given," "common" earth is the product of God's workmanship throughout his account, although this connection is firmly established at the outset.

The early transition from the useless products of divine workmanship to the valuable products of human workmanship is effected, moreover, by Locke's assertion that "every man has a *property* in his own *person*." In summarizing his discussion of property, Locke underscores the importance of this point: "From all which it is evident, that though the things of nature are given in common, yet man, by being master of himself, and *proprietor of his own person, and the actions or labour of it, had still in himself the great foundation of property*. . . ."⁸⁰ The property which rests on the "foundation" of one's self-ownership, according to Locke, is "perfectly his own."⁸¹ Locke's entire account of property, moreover, hinges on the mechanism of workmanship or "transformative labor."⁸² The products of divine workmanship are God's property and are "common" with respect to individual human beings. In order for human beings to acquire a title to property, they must themselves become "workmen" on God's "materials."⁸³ With respect to human beings, God's grant of *dominium utile* establishes merely what is *common* among them; only human workmanship is capable of establishing what is *proper* to each.⁸⁴ Given this clear distinction, and the absence of any other available resources for understanding Locke's assertion of self-ownership, one must conclude that the individual's property in his or her own person is the product of the same mechanism which establishes individual property in external objects, i.e., human workmanship.

This portrait of the human person or self as the product of human

⁸⁰ Ibid., 2: 44.

⁸¹ Ibid.

⁸² Zuckert, *Natural Rights*, 164.

⁸³ Locke, *Two Treatises*, 2: 43.

⁸⁴ This accounts for Locke's statement in *Two Treatises*, 1: 39 upon which Tierney builds his argument.

workmanship does not directly contradict Locke's earlier account in the divine workmanship argument. It does, however, in a manner that starkly contrasts with Waldron's influential interpretation, relegate this argument to relative insignificance in Locke's thought. In discussing God's ownership of mankind, Locke is careful to speak of human beings in the plural and in terms of what is common: ". . . for *men* being *all* the workmanship of one omnipotent, and infinitely wise maker; *all* the servants of one sovereign master, sent into the world by his order, and about his business; *they* are his property, whose workmanship *they* are . . ." (emphasis added).⁸⁵ This passage is reminiscent of Locke's arguments for the existence of God in both the *Essay* and the much earlier *Questions Concerning the Law of Nature*. In the *Questions*, Locke argues that since mankind cannot initially produce itself, it follows that "there exists some creator other than *ourselves*, more powerful and wiser, who at his pleasure can bring *us* into being, preserve, and destroy *us*" (emphasis added).⁸⁶ These subtle differences in language, easily overlooked when considered in isolation, neatly cohere with the distinction between divine and human workmanship that emerges in Locke's discussion of property. Divine workmanship generates property with respect to God and a "common" stock with respect to individual human beings; human workmanship begins with what is "common" and engenders a title to individual human property.

The foregoing analysis clearly supports Zuckert's interpretation of Locke's innovative account of human rights. The framework of divine and human workmanship has clear parallels in both the *Essay* and the *Questions*. In the *Essay*, Locke combats the "received doctrine" that "men have native ideas . . . stamped upon their minds in their very first being."⁸⁷ Rather, Locke supposes the human mind to be "white paper, void of all characters, without any ideas." It is through the human operations of "sensation" and "reflection" that ideas are engendered in the mind.⁸⁸ Since the "very first being" of men is nothing other than the product of divine workmanship, Locke is concerned to establish the primacy of human workmanship and the relative insignificance of divine workmanship in the formation of ideas. Most importantly, one's "personal identity" is not "given" innately by divine workmanship; it is only the workmanship of human "consciousness" that produces the "person" and one's "self."⁸⁹ Like the

⁸⁵ Locke, *Two Treatises*, 2: 6.

⁸⁶ Locke, *Questions*, fol. 54–56.

⁸⁷ Locke, *Essay*, 2: i.1.

⁸⁸ *Ibid.*, 2: i.2

⁸⁹ *Ibid.*, 2: xxvii.9–10.

“given” things of the earth, the human mind in its given state is “almost worthless” and utterly empty; the identity of the human “person,” like individually appropriated external objects, does not even exist until “consciousness makes” it.⁹⁰

In the *Questions*, Locke challenges the “givenness” of the law of nature. Locke repeatedly insists that “We do not say that this law of nature stands inscribed on tablets in our breasts,”⁹¹ and dedicates an entire question to showing that “there exists no such law of nature inscribed in our hearts.”⁹² In a similar vein, Locke firmly rejects Aquinas’s attempt to derive the natural law from the “natural inclinations.”⁹³ Locke’s primary argument for this point is that in those “barbarian nations” that have “no guide other than nature,” there is “such fickle faith, so much perfidy, such monstrous cruelty” that they obviously have not been “given” any natural law.⁹⁴ Discovering the law of nature involves “concentrated meditation of the mind, thought, and care,” i.e., human workmanship. In an analogy for the law of nature that reminds the reader of his later discussion of property in the *Second Treatise*, Locke states that “Good, rich veins of gold and silver lie hidden in the bowels of the earth, and moreover arms and hands and reason, the inventor of machines, are given to men, with which they can dig them out . . . that wealth which has been hidden in the darkness must be excavated with great labor.”⁹⁵ The law of nature, like the “person” and individual property in external objects, owes the fact of its actual existence to human workmanship much more than to divine workmanship. This law is similarly given in an intrinsically useless state; God’s workmanship leaves it “hidden in the bowels of the earth.”

By vastly extending and forcefully emphasizing human workmanship at the expense of divine workmanship, Locke clearly departs from his medieval predecessors. Prior to Locke, the related notions of dominion, self-ownership, and natural rights remained wholly derivative from God’s ultimate property in His creation and His lawful rule over it. To “have a right” in this context could mean little more than “it is permitted” by the natural law, and to possess private property was really to possess a “trust” from God, a *dominium utile*. To the extent that God’s workmanship remains paramount in producing the individual, the things of the earth,

⁹⁰ Ibid. 2: xxvii.10.

⁹¹ Locke, *Questions*, fol. 23.

⁹² Ibid., fol. 37.

⁹³ Ibid., fol. 61.

⁹⁴ Ibid., fol. 41.

⁹⁵ Ibid., fol. 34.

and the law that governs them, true human workmanship becomes either impossible or relatively insignificant. To the extent, however, that God's workmanship falls short of explaining these products (as it clearly does for Locke), human workmanship becomes possible, necessary, and morally foundational. In this way, Locke's alteration of the relative emphasis of these two forms of workmanship in his theory of property corresponds with his innovative emphasis on the foundational importance of subjective natural rights in comparison with the objective natural law, whether permissive or otherwise. This shift in emphasis, first expressed in an enduring form in Locke's writings, continues to inform and underpin human rights discourse in contemporary contexts.

CONCLUSION

In refuting Tierney's recent arguments for placing Locke's natural rights theory within a strong continuity position, the foregoing analysis both vindicates the position of Tierney's primary interlocutors on the discontinuity end of the spectrum and suggests a sympathetic revision of more moderate arguments for continuity. Locke's natural rights theory departs from those of his predecessors, and in certain respects continues what Tierney terms the Hobbesian "aberration,"⁹⁶ not by inventing new words or ideas but rather by altering the order of priority and relative importance among pre-existing ideas. It is with respect to the priority issue, or the "foundational problem," concerning natural rights and the natural law, as well as the related concepts of human workmanship and Divine workmanship, that Locke's natural rights theory is innovative and distinctively "modern." Locke's careful reformulation of this priority issue explains and justifies his innovative placement of natural rights at the core of his political philosophy.

Explaining the significance of Locke's natural rights theory in terms of the priority issue draws together a wide variety of positions on the continuity-discontinuity spectrum. Scholars such as Coleman and Swanson are correct to point out the similarities between Locke and John of Paris (among others) insofar as many concepts and modes of thought frequently attributed exclusively to Locke are in fact already present in a few of his predecessors. Zuckert, on the other hand, is correct to indicate the crucial importance of Locke's reshuffling and reinterpretation of these preexisting

⁹⁶ Tierney, "Historical Roots," 25.

concepts. Although Locke and some of his predecessors draw from the same conceptual cupboard, by altering the relative proportions of the ingredients Locke ultimately concocts a significantly different bill of fare. It is the priority issue among the concepts of natural rights and the natural law, parallel to that between human workmanship and divine workmanship, which then leads to the implications in the political dimension noted by Swanson and Nederman. The newfound “political overtones”⁹⁷ of natural rights which, according to Nederman, play a crucial role in determining the medieval/modern divide are in fact only the primary symptom of Locke’s underlying innovation with respect to the priority issue outlined herein.

Pepperdine University.

A response from Brian Tierney will follow in the July 2011 issue of *JHI*.

⁹⁷ Nederman, “Review of Brian Tierney,” 218.



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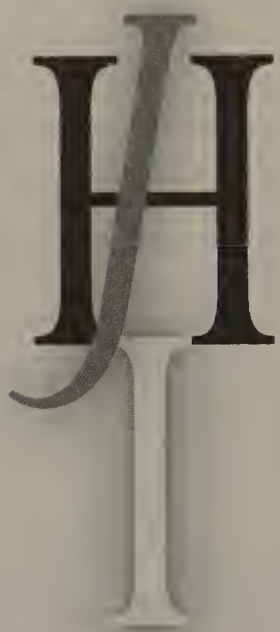
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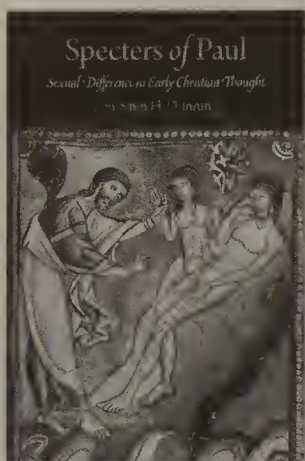
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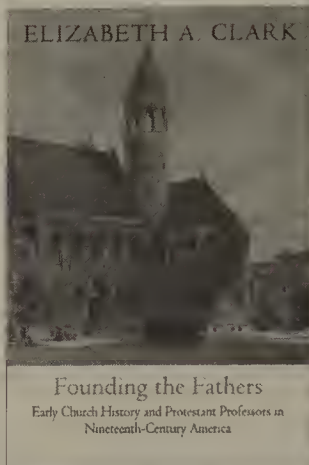
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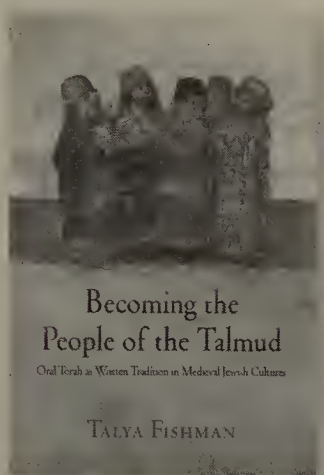
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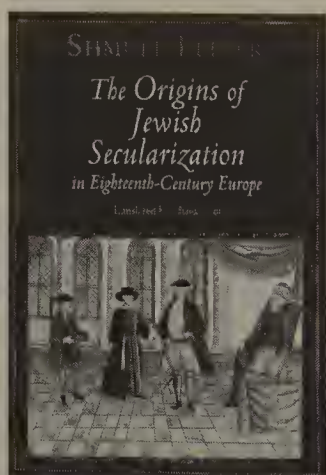
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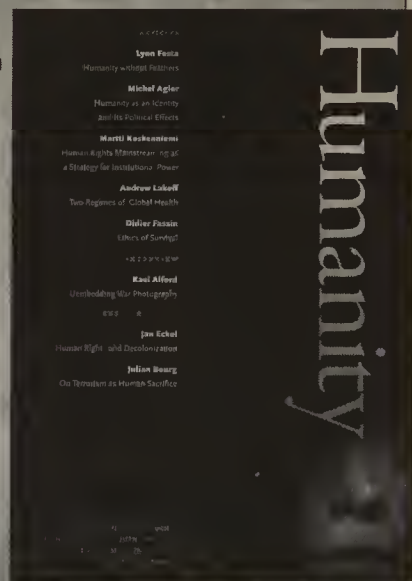
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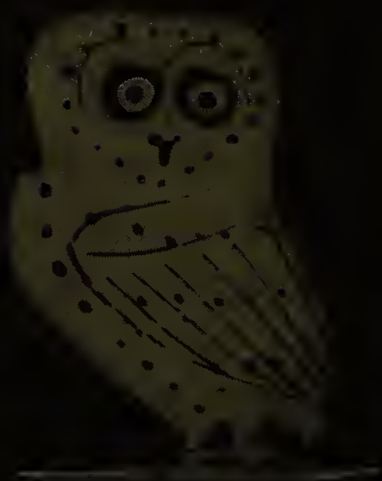
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